

# THE CALCUTTA JOURNAL,

OF

## Politics and General Literature.

VI.]

MONDAY, NOVEMBER 25. 1822

[No. 282.

### SUMMARY OF NEWS.

— 321 —

#### Politics of Europe.

The Report of Saturday stated that a Ship was standing in below Saugor, name not then ascertained. An Extra Report, however, soon after mentioned that it was the Ship INDIANA from Penang, the 27th of October. We are still therefore without later English News than before to offer our Readers.

The BOMBAY COURIER of the 2d instant, came in also on Saturday, by which we learn that the latest arrival from London, direct to that port, is the 4th of June. The local paragraphs from that Paper will be found with other matters in the Asiatic Department, leaving us little more to do in the European Sheets, than to continue the republication of English articles with as much regularity as possible :—

*London June 6, 1822.*—In the debates and conversations which take place in the House of Commons on the deeply to be lamented subject of Agricultural distress, many of its Members, no doubt themselves feeling the misfortunes of the situation into which England, once happy, is now reduced, assert that the present flourishing state of commerce has been produced by protecting duties or prohibitions, and therefore recommend the same cure for Agricultural distress.

Unfortunately for those concerned in Trade, the flattering description of their prosperity given by the Ministers of the Crown is founded either on ignorance or deceit. There is no department of trade at present prosperous, and there are many classes of commercial men daily sinking deeper into misery and decay. The Shipping interest, which has fostered the Naval glory of England, has been deprived of half its property, and the other half is hourly becoming less valuable. This class of his Majesty's subjects cannot complain of want of protection by heavy duties and prohibitions, unless the future operations of Mr. Wallace's Bill, passed last night, convince them, that so far from restrictions on foreign competition being favourable to them, they have, in fact, been partly the cause of their present depression. Free the English ship-owners of British port charges, and Custom House, Excise, Lights, and Consulage extortions, he will soon be convinced that free intercourse betwixt nation and nation is most important to his interest. The superior quality of his ships, and the industry, energy, and persevering gallantry of his seamen, will gain his property a decided advantage in trading with foreign nations. Restrictions have certainly not made the ship-owner prosperous, and a trial of free trade cannot make his circumstances worse.

Lloyd's Coffee House, once the centre of British liberality, also gives a fatal negative to Lord Londonderry's assertion, of the great happiness and success at present attending trade. The Subscribers, in the days of their prosperity, were the leaders in every work of charity and of patriotism. A few days ago, however, at a General Meeting, a subscription of 500l. from the public fund for the relief of starving Irishmen, was negatived by a considerable majority, and a book opened at the bar contains only 6l. of private donations. Does this arise from hatred to the Irish? Forbid the libel every honest heart. It arises alone from a firm conviction that their duty to their families does not, under the depressed state of premiums, allow them to be beneficent.

At the Corn Exchange this day, if it was possible to add to depression, it has taken place. Wheat is unsaleable, though offered 2s. lower, and, on the whole, it is impossible to paint things worse than the reality.

In the Sugar-market no sales can be effected, and a decline of 1 to 2s. per cwt. does not induce consumers to come forward. The refining trade is almost at a stand. Coffee is also again lower. Not a puncheon of rum can be transferred, and hundreds of labourers have lately been dismissed from the West India Docks for want of employment. Lord Londonderry, however, asserts that trade is prosperous!

The depression on the Baltic walk does not yield in extent to any other department of British commerce. The trade will not purchase St. Petersburg yellow tallow even at 35s., as they wait the event of a public sale of 600 casks next Friday. This article cannot, at present, be imported from Russia under 40s. PTR flax is nominally quoted at 52s., and St. Petersburg 12 head at 41s. Clean Hemp on the spot is 40s. and for time 38s. In short, there is not one department of commerce in a healthy state. Prices obtained for British manufactures in India and South America are fair, but the returns are miserable. The same causes have produced distress, both to the Manufacturing and Agricultural Interests, and no change can take place for the better until those causes be removed. The productive classes of society must receive remuneration for their labour. The 800,000 starving Irishmen must be properly employed. Living wages must be given to the peasantry in the agricultural districts, and free trade must pay the labour of the mechanic. When the inhabitants of the United Kingdom are beneficially employed, the farmer will not want a remunerating price for his produce; and, until this state of society be established, misery must continue to increase, for no protection against foreign importation of the necessities of life can be of any service to Agriculture.

The present Ministers are incapable of the mental exertion necessary to support a falling Empire. They are possessed neither of the talents necessary for great occasions, nor of nerve sufficient to carry any important measure. They want the virtue to resign their places, when they are baffled in the House of Commons. To be in a minority on subjects which they conceive necessary for the glory and welfare of their country—even to be left in a minority on a motion for a better administration of the public laws, after pushing forward his Majesty's Attorney-General to defend them, is not considered by them, whatever may be the opinion of the people, any disgrace. From such Councillors, what benefit can be expected?

No Foreign Mails have arrived this day, and there are no foreign news. Letters of high authority from Vienna mention, that a loan for four millions has been contracted for, and no doubt the Royal Exchange in London will hear of it as soon as the last Russian Loan is properly distributed. This day it is very dull at 81 $\frac{1}{2}$ . The Chili Loan is steady at 76 $\frac{1}{2}$ . 8, 7, 7, 7, and closed at 76 $\frac{1}{2}$ . The French Rentes are 80. 25. a 89. 50. Prussian Bonds, 86 $\frac{1}{2}$ . 4. Columbian Old Bonds, 100 $\frac{1}{2}$ ; New Sixes, 81, and the Scrip, 81 $\frac{1}{2}$ . Confidence revives in Spanish Securities. The Old Fives are noted at 60 $\frac{1}{2}$ . 61, and the New at 60 $\frac{1}{2}$ . 61 $\frac{1}{2}$ . 60 $\frac{1}{2}$ . Danish, 85 $\frac{1}{2}$ . and Neapolitan, 72 $\frac{1}{2}$ . In the English Funds, very little business has been done. Consols for the July account opened at 80 $\frac{1}{2}$ , and closed at the same price. — *Morning Chronicle.*

**Piracy.**—The proceedings instituted against the HEROINA, styling herself a Buenos Ayres privateer, and lately captured by the Portuguese frigate PEROLA, and according to advices received by the last packet, condemned by the Admiralty Court in Lisbon, have developed so many circumstances connected with the system of Piracy and Robbery so long pursued on the high Seas, in almost every quarter of the globe, that we have deemed it our duty to lay before our Readers the subjoined extract from the Report of the Trial. No sooner did the new Governments in South America acquire a certain degree of organization and consistency, than their citizens severally fitted out privateers to cruise against their common enemy. Enterprising men of other nations who abound in the West Indies and United States, immediately sought these belligerant flags, either by going to the ports where they could be had with little difficulty and expence, or by obtaining simulated papers made to suit the vessel they destined for a cruiser, and these forged commissions were easily obtained from men who gain a livelihood solely by this nefarious practice. In every quarter these pirates made their appearance, and in the West India passages were seen waiting for unarmed and defenceless vessels, which they robbed of every thing valuable, and they often took their entire cargoes, and sold them on the coast of St. Domingo and other bye-places, turning the crews adrift, and without recurring to any Admiralty or other Court of Adjudication. This system was carried, a year or two ago, to an enormous height; although, perhaps, the British flag was less exposed to these depredations than any other, owing to the dread of and the ascendancy of our navy; but other vessels, insured at Lloyd's were captured, occasioning immense losses to the underwriters. The South American Governments, principally of Venezuela and Buenos Ayres, were appalled at the ravages committed under their flag, without having any knowledge of the parties, and indeed they were also alarmed at the irregularities of some regularly commissioned privateers, which had grossly abused the powers confided to them. Both Governments corresponded with our Admirals on the above respective stations, and pledged themselves to concur in any plan that might tend to the suppression of these disorderly and disgraceful acts. The Buenos Ayres Government at length called in all their commissions, and fixed a period for their privateers to return to port. After which they notified that all those keeping at sea should be treated as pirates. These judicious enactments were, however, not sufficiently efficacious to suppress piracies at so great a distance from the seat of power, and they continued, particularly under what was called Artigas' flag, although no Government of the kind existed, to make indiscriminate captures, and numbers of Portuguese, and other vessels insured in London fell a prey to these freebooters, by which immense losses were sustained.—The United States at length took up the subject and light cruisers were sent along the coast of Florida, to the Mexican Gulf, and West India Islands, and it is with infinite pleasure we have had frequent occasion to report the progress made in the suppression of piracy by the North Americans, particularly by the Enterprise, to whose Commander, the public of every country are indebted for his perseverance and exertions.

As this is a topic particularly interesting to this mercantile nation, we have been induced to introduce it on the present occasion, under a hope that some inquiries may be made in Parliament in order that the British public may be informed what share our own commanders have had in the suppression of this systematic piracy, or may be enabled to ascertain to what extent British merchants and underwriters have suffered by it. Besides promoting the protection of our own trade, we should be thereby rendering a service to the new Governments in South America, which are too weak and too distant to avenge this abuse of their flags, but which are anxious that their cause should not be injured in the eye of Europe, by the acts of outlaws, over whom they have no control.

**Case of the Heroina.**—The Commander, it appeared in evidence, was a North American of the name of William Robert Mason, and his commission was dated in April, 1820, authorising him only to molest Spanish vessels, enjoining, and imposing on

him the obligation to avoid every abuse of his trust, and all irregularities on the high seas which might implicate the Buenos Ayres flag. In his cruise he was directed to overhaul every vessel, both armed and traders, navigating under the Spanish flag, and examine their commissions and papers to see if they were legal, and the use made of them, and also to punish all excesses committed against neutral and friendly vessels. The HEROINA was fitted out and commissioned as a vessel belonging to the Government of Buenos Ayres.

On examination, however, 45 men, composing the crew, spontaneously confessed, that this corvette pursued a system of piracy, robbing all the vessels they could. From the depositions, it appeared, that early in August, 1820, in the latitude of La Isla de Flores, they met a Portuguese vessel, called the CARLOTTA, bound with a cargo from Bahia to Lisbon, which they captured, after an action of two hours. The crew were put in irons five days, and then sent on board a vessel accidentally met with. The captain of the privateer afterwards had two officers and four sailors shot; and his prize, the CARLOTTA, was lost in storm.

Towards the close of 1820, being at the Falkland Islands, an American schooner entered, which they captured, and sent to their consignee, at Buenos Ayres. On the 14th June they captured the Spanish brig of war, MAYPU, bound from Lima to Cadiz, and armed her to accompany them on their piratical expedition. In the latitude of Cabofrio, they chased the Portuguese brig, INFANTE DON SEBASTIAN, firing at her, but being unable to come up with her, they chased a Portuguese galley to leeward, and the captain having come on board the HEROINA near Cape St. Vincent's, accompanied by a slave, the pirates had the latter hung up to compel him to declare where his master kept his money. On the 12th July, 1821, they captured the Portuguese ship VISCONDESA DE Rio Sezo, near Bahia, which they took to the island of St. Vincent's, conveying on board the privateer the greatest part of the moveable effects, and after selling the hull, they shipped the cargo in the American brig ALLIGATOR, and conveyed it to the island of Boa Vista, where it was transhipped on board the brig HUNTER, of London, for the purpose of going to Buenos Ayres.

Numerous other similar cases are detailed in the proceedings. This privateer and her consort generally made their attacks under the British flag.

**London, Friday, June 7. 1822.**—We learn from an authority on which we can place the fullest reliance, that the exertions of the Austrian, French, and English Ministers, at Constantinople, have at length been crowned with a success at which they themselves are surprised, and that Commissioners have been sent to every part of the Turkish army, ordering the evacuation of Moldavia and Wallachia. This result was absolutely despised of, when the Turkish Ultimatum in February was sent off. War was then considered by the Negotiators themselves as inevitable, but they now consider every thing as settled between Russia and Turkey.

The obstacles in the way of the extermination of the Greeks, which THE COURIER some months ago considered so desirable an object, are thus, by the friendly aid of legitimacy, supposed to be in a great measure removed. The Turks have now at least their hands free, and could they only obtain the mastery at sea, which the English Government will no doubt do all that it can to give them, they might be enabled to perfect, throughout the Archipelago at least, the work which they so happily began at Scio. Providence has, however, to a certain extent, favoured the destinies of the human race in having tempted the Government the most opposed to the improvement of mankind, to waste its resources in a mad war against revolutionary France, whereby it has it no longer in its power to enter on expensive crusades; and though English governors, English agents, and English inventions and contrivances may be at the command of the Turks, the days are gone by for affording them a more effective assistance. Ministers may do enough to cover the whole nation with eternal disgrace, but it may be questioned whether, after all, they will be able to effect the extermination of the indigenous population of Turkey.

That the Holy Alliance should look with indifference on the scenes of carnage in the East, is natural enough. What is there in the world in which they can feel any interest but their own miserable selves? Reared in ignorance of all the sympathies of our nature, strangers to the wholesome conflicts by which the better part of man can alone receive its due development—they have no feeling but for the incense which is perpetually offered up to them, and no thoughts but of how they shall ensure to themselves the continuance of it. Hence the violence offered to any of their number (the assassination of the Duke of Berri, for instance, and God forbid that we should not hold it in abhorrence) ought, they think, to be for ever present to the minds of men as the greatest of all possible calamities; while the massacre of a whole population, the carrying off wives and children into captivity in a strange land, are to them objects of no moment, hardly worthy of regard. Why should we wonder that these beings should prefer the heartless, though the only enjoyments with which they are acquainted, to the happiness of millions of men, or that they should consider no sacrifice too costly for the Moloch which they have set up?

Still, with every allowance for the strength of the feeling of Alexander for his Brother Legitimates, there are circumstances in the case of Russia, which give to the whole affair a peculiar interest. Here we have not merely the sacrifice of millions, but the sacrifice of Russian grandeur at the shrine of legitimacy. He has determined to abandon the Greeks, and leave the Cross to be trampled on by Infidels, rather than endanger the Holy Alliance, of which he was once the founder and is now the dupe. An opportunity had offered, which Catherine had sighed for in vain, when all Europe united could not have hindered him from being the Sovereign of Constantinople, and Restorer of the Empire of the East. Let us not undervalue the sacrifice he has made. It is not merely that he declines to be the successor of Constantine, and to annex to his empire the regions most celebrated in history. It is not the dominion only of a vast territory he rejects, but the land and the soil with all their actual and possible improvements. For if the Turks had been driven out of Europe their lands must have been forfeited to the Russian Government, and by right of conquest, might have been justly parcelled out among his Nobles and Military Officers. Such a splendid prize has not been within the grasp of any Sovereign—such solid advantages have not been within the reach of any people—since the conquest of Cortez and Pizarro. We have no doubt the magnanimity and disinterestedness of Alexander will be praised by every Potentate of Europe who feels desirous but unable to oppose him. And we have as little doubt that his Ambassadors and Agents abroad, who must naturally be unwilling to exchange the luxury and intercourse of civilised life for the train-oil and soup of their own estates, will assure him, in strain of oriental hyperbole, that he is the object of adoration at the Courts, where they have the fortune to reside. But the truth will penetrate even to Moscow, and the rudest of his barbarians discover that their Sovereign might have been Emperor of the East and Master of Constantinople, if he had not listened to the interested adulation of rivals, who hated him while they trembled at his power, but who had neither the means nor the spirit to have checked his progress in the glorious path that Providence had chalked out for him. When Russia has poets, and some day or other we presume she will have authors like other nations, what a theme for her future satirists, that the most powerful of her Monarchs was doddled out of an empire by the professions of Metternich, the fears of Hardenberg, the assurances of Lord Strangford, and the eloquence of Lord Londonderry!

*House of Commons.*—In the House of Commons, the proceedings consisted chiefly of conversations, with the exception of a debate on the state of the currency, on which Mr. GREY BENNET, who had opened the adjourned debate, was left speaking. From some proceedings in the Prerogative Court, there is a probability that OLIVE, Princess of Cumberland, will obtain the £15,000, left by the late King.

*Duke of Sussex.*—His Royal Highness the Duke of Sussex is understood, to visit Edinburgh about the 3d of September;

and there is no doubt that in honour of this visit we shall have a public Whig Dinner.

*Edinburgh Police.*—At the adjourned meeting of Commissioners, held on Thursday last, Mr. Sheriff Duff attended, and explained his reasons for making the two last drafts on the Sheriff's fund in favour of Captain Brown. In consequence of an assurance that the Sheriff would attend and act cordially with the Commissioners in future, the latter withdrew the Resolutions recently passed by them. Forms of the advertisements respecting the ensuing elections were adopted; and copies of the necessary instructions will, we understand, be got either at the Police Office, or Inspector's Office in the Royal Exchange. The public, we trust, will not be too supine. Active and independent Commissioners are as much needed for the next year as they have ever been. The great machinery of our police system should be properly set a going under the new Bill.

*Prince of Denmark.*—The Prince of Denmark assumes, while in England, the title of Count Alston, which title is on his visiting cards. His Royal Highness is considered to be here *incognito*.

*Caledonian Canal.*—An official paper, printed by order of the House of Commons, states the estimate of the sum requisite to be granted in the present Session of Parliament, in order to enable the Commissioners for the Caledonian Canal to proceed in opening the navigation between the eastern and western seas, at £25,000 clear of all deductions.—*Scotsman*.

*Sailor.*—“As you do not belong to my parish,” said a gentleman to a begging sailor with a wooden leg “I cannot relieve you.” “Sir,” replied the sailor with an air of heroism, “I lost my leg fighting for all parishes.”

*Zeno.*—A person asked Zeno the philosopher, if wise men ever fall in love. His answer was “If wise men do not fall in love, beautiful women must be very unfortunate.”

*Alien Bill.*—Many remarkable traits of character were exhibited in the House on the Alien Bill. Mr. Peel, with wonderful aplitude of reference, would have evoked the mild spirit of Elizabeth to confirm his constitutional doctrines. The notorious tenderness of that doughty virgin Queen for the rights of mankind, and her known abhorrence of all arbitrary discretionary power, certainly render her a peculiarly eligible authority to consult, with the end which Mr. Peel had in view.

Another Member, alluding to the exclusive immunities and privileges enjoyed by Aliens, made it appear that England was somewhat like a goal, where strangers are as carefully shut out as the inhabitants are shut in—a sort of round-house, that the houseless and destitute are glad to get into for a refuge, while they enjoy the privilege of being turned out at the pleasure of the high authority of the place—a privilege no doubt much envied by some of the unwilling inhabitants, the artisans of the community.

Lord Londonderry, still harping, it would seem, on the Agricultural Distress, talked of our “keeping up *crews* of persons devoted to revolution,” whom unquestionably he is bringing under the grinding clause for foreign exportation. He also entreated the House “not to be led away by general declamations upon liberty which had no reference to the question.” Aye; aye—liberty has certainly nothing to do with the Bill.—“Talk of honour, Sir *Lucius*!!! No honour before Ladies, Sir,” as *Mrs. Malprop* says. He congratulated the country that Mr. Peel “had adopted principles likely to carry the liberties of the country even to a higher pitch than ever.”

We remember a certain friendly lift which the Eagle gave the Tortoise in the fable, merely for the purpose of letting him fall again in order to break his shell and devour his body. We feel, however, no sort of alarm, seeing no disposition whatever in Mr. Peel to soar to any dizzy height of liberty.

As for the alarming declaration that Foreigners should be treated like Petitions of the People, we would quiet the apprehensions of Aliens, by remarking, that it was rather intended to convey that Petitions should be treated like Foreigners; that is,

kicked out if they are not civil to Government. Petitions have so long, indeed, been speaking a language foreign to Ministers, that it is not surprising that they should be treated in all respects as Foreigners.—Theirs is nevertheless the language of the country.

*M. Dupin on Trade and Civilization.*—It was a happy effect of the French Revolution, sufficient to redeem much of its violence and atrocity, that while it destroyed respect for hereditary honours, and banished the foolish prejudice that would estimate a man by the quality of his blood, it enabled the wealthy manufacturer, or the enterprising merchant, to attain their due rank and consequence in the State. It was then admitted that there were other roads to distinction in society beside the profession of arms or the favour of a Court; and that a large fortune acquired in trade was as valuable a possession as a seigniorial chateau or chamberlain's key. Though, subsequently, Buonaparte, having dazzled the nation with military glory and foreign conquest, ventured to talk lightly of commerce, and call this country contemptuously a nation of shopkeepers, he did not aim, at depriving commercial wealth of its honours and influence, and even promoted at home a species of greatness, which among a rival people he affected to despise. Since the restoration, the disposition towards commercial and manufacturing enterprise has been wisely and liberally encouraged. The utmost attention is paid to the interests of trade, so far as they are understood, and some of the most respected members of the legislature are capitalists and merchants. M. Say, the Adam Smith of France, has done much to diffuse just and accurate ideas of political economy; and M. Dupin, by his *Voyage dans la Grande Bretagne*, has conferred on his country an invaluable contribution, not only of useful knowledge, but of liberal views, respecting the state of our marine. We have been led to these remarks by an eloquent paper of the latter gentleman, read towards the end of last month to the Institute, entitled "The influence of commerce on the knowledge and civilization of ancient nations." This memoir, which includes, in a short compass, specimens of all the peculiarities of the writer—his animated descriptive talent, his acute observation—his striking and poetical expression combined occasionally with affectation and extravagance, contains a rapid sketch of the history and influence of commerce, from the origin of the Phœnician power down to the establishment of the anti-commercial dominion of Rome. In advertizing successively to the annals of Tyre, of Athens, and the trading cities of Greece, of the commercial states of Asia Minor, of the Greek Islands, of Sicily, and of Carthage, he proves that in every case the arts, freedom, knowledge, and civilization, followed in the train of Commerce. Athens resisted the great King by her fleet, when he had overrun the continent; the town of Tyre cost Alexander greater efforts to subdue it than the empire of Persia; and Carthage could only be overthrown by the power that conquered the world. "Oh, my fellow citizens," concludes M. Dupin, as the moral of his discourse, "let us love, let us protect, let us promote, let us honour commerce, and soon we shall see the French flag floating on every sea, saluted by every nation, received in every port, covering the exports of our industry and our skill, leaving recollections of our civilization, and returning to our shores rich with the treasures of foreign climates; but richer in the glory of having extended to the utmost bounds of the earth the knowledge and renown of the French name." It is a singular fact, and may not be generally known in this country, that though trade is thus encouraged in France, merchant or manufacturer, since the return of the Bourbons, if he receives a patent of nobility, must take out "letters of relief," conveying the King's pardon for having descended to trade. M. Ternaux, the manufacturer, and deputy for Paris, was created a baron by the King, but has refused to assume the title on such a degrading condition.—*Times*.

*Hostilities between Spain and Algiers.*—Translation of an official communication made to the Town Council of Port Mahon, by Don Jose Juliao, commandant of the Spanish frigate PEROLA, arrived at that Port from Algiers:

"The Day of Algiers having rejected, on the 26th of last month, the friendly propositions of our Monarch for adjusting cer-

tain pecuniary differences between the two Governments, I acquaint you with the same, that you may, if you think proper, give notice to the merchants of this Island, in order that they may provide against the hostile attempts that may be made on their shipping by the Algerines, although the latter have at present no great disposable force for such cruises. Trusting that you will also take the most effectual means to make it known in the island of Majorca.—I remain, &c.

*On board the PEROLA, April 6, 1822. JOSE JULIAO.*

*Breakfast Powder.*—Mr. Hunt has ordered half a ton of his famous breakfast powder, packed in half pounds, to be sent as his Subscription for the Relief of the Suffering Irish; five hundred weight has been shipped for Cork, and five hundred weight for Limerick. This will afford three meals a day for a week, of wholesome and nutritious food, to 2,240 persons at half a pound each.—*Bath Gazette*.

*Harrison.*—We copy the following observations from the LEICESTER CHRONICLE, and fully agree with the tenor of them; but Harrison, in addition to his other sins, is also a Dissenting Minister, and we know what is to be expected on such occasions from a Clerical Magistracy, with which description of authorities the County Palatine of Chester is more than commonly well stocked:—"We are informed, that such is the rigour with which the sentence of imprisonment is carried into effect at Chester Castle, against the Rev. Joseph Harrison, who was convicted of making use of certain strong expressions at Stockport, that he is not only not allowed to speak to a friend, except in the presence of the gaoler or turnkey, but that even all letters which he may send or receive, undergo previous inspection. Being subject to these "Regulations," unjustifiable as we conceive them to be when applied to a person whose offence, after all, is merely a difference of opinion on political subjects, is not, however, the worst aggravation of his sentence. We are told, though we confess we can scarcely give credit to the fact, that Mr. H. is compelled to conform to another, still more degrading, viz. to wear the Gaol Dress! If these circumstances be correct, we hope the gaol of Chester, like that of Ilchester, will shortly be brought under the review of our present active Home Secretary; for surely it never could be contemplated by the Judge who passed sentence on Mr. Harrison, that he should be placed on a footing with persons who had been guilty of crimes subjecting them to transportation and death."

*Precious Metals.*—We understand that the prices of the precious metals have been materially lowered by the large quantities brought to our shores by the various vessels from the United States and South America. One ship, the SUPERB, brings nearly one million sterling, in gold and silver, on merchants' account. —*Liverpool Mercury*.

*French Marriages.*—All marriages are formed by the relations of the parties to be united, and conformity of age and fortune seems to be the object chiefly regarded: the parties seldom are allowed to meet till every arrangement has been made, and then are never suffered to be alone together, till the important day that removes the lady from the class of silent, grave, reserved, down-looking damsels, to the envied position of a married woman, who takes the lead in conversation, is the charm and ornament of society, goes about alone, receives visits at her toilette, and returns them escorted by a male friend. This I had often been told, and many memoirs or patriotic apologies for the lives of the fair writers, written expressly for the benefit of their daughters, make entire ignorance and subsequent disgust of the husbands they were consigned to by interested parents, the plea to excuse the fatal errors of their married lives: but I could not believe in the existence of so unnatural a system till I saw it myself in practice. How girls, who are neither handsome nor rich, contrive to get married, it puzzles me to find out, since none of their other qualities can possibly be discerned by their suitors; but I apprehend that a Parisian mother considers a very indifferent marriage as far better than none at all, for I certainly never have met in French society with any young lady continuing single after the age of one or two and twenty.—*The Museum*.

# PARLIAMENTARY.

—325—

## Imperial Parliament.

HOUSE OF LORDS, FRIDAY, JUNE 7, 1822.

### DIOSCESE OF PETERBOROUGH.—CHURCH DISCIPLINE.

The Order of the Day for summoning the Lords, having been read,

Lord Dacre rose, in pursuance of notice, stating that two Petitions had been entrusted to him, to present from two clergymen of the Church of England, with one of whom he was personally acquainted, and knew him to be a man of high character, worth, and learning. The Petitioners complained of the conduct of the Bishop of Peterborough, in refusing to license clergymen to curacies within his diocese, until they had answered to his satisfaction a number of questions regarding doctrine, which were formerly 87, but to which the Bishop had since added 56, upon one topic. He should first, however, present one of the Petitions, and wait till it was received before he made any further remarks. His Lordship then presented a Petition from the Rev. John Shuttleworth Grimshaw, rector of a parish in the diocese of Peterborough, complaining of the mode adopted by the bishop in requiring answers to the questions alluded to. The Petition having been read at the Table, his Lordship observed that he had another to the same effect, but which he should at the present decline presenting. He then read extracts of letters, one of them from a Clergyman, to whom the questions had been sent, stating, that to some of them, they being of a peculiarly delicate and difficult nature, he had felt himself unable to return answers within the column appropriated to that purpose, and had therefore added an appendix for the purpose of giving more detailed answers, and another extract from the reply of the Bishop, stating, that the applicant had given long dissertations without clearly explaining his opinions: that what he (the Bishop) wanted, was direct and plain answers, and that the applicant might say, yes or no, if he pleased, without entering into any explanation, his (the Bishop's) object being to ascertain, by these answers, whether the applicants were fit persons, from the opinions they entertained, to be licensed to curacies within his diocese. His Lordship professed his inability to enter into competition with the Right Reverend Prelate upon such a subject, upon which the great learning and high attainments of the learned Prelate were so well known. He (Lord Dacre) however felt himself called upon, under the circumstances complained of by the Petitioners, to protest against the mode of examination adopted by the Right Reverend Prelate, and which he was prepared to contend was not consistent either with the Statute Law or the Canon Law of the realm, and which was wholly unsanctioned by the conduct of any other diocesan. What he meant to maintain was, that under the Statute and the Canon Law, Clergymen were not liable to examination any further than to shew that their opinions were in conformity with the thirty-nine Articles of the Church of England, this being all that any diocesan could legally require of them. Admitting, therefore, the right of the Bishop to examine, he contended that the mode adopted by the Right Reverend Prelate, was inconsistent with the Statute and the Canon Law, which limited the right merely to the ascertaining whether the opinions of the examinants were in conformity with the articles of the Church of England. His Lordship, for the purpose of proving this opinion, quoted the Act of the 13th Elizabeth, the Canons, and other documents, contending that they could not bear him out in the assertion, that nothing more was required of clergymen at their examination than to shew that their opinions were in conformity with the articles of the Church. He also read quotations from Hooker, Fuller, Bishop Horsley, &c. for the purpose of shewing that his interpretation of the Statute and the Canon Law was in unison with the opinions of men of high eminence in the Church; and with regard to a material point in dispute, shewing that Bishop Horsley was of opinion that the Church of England, in point of fact, maintained a strict neutrality between Arminianism and Calvinism. If his view of the Canon Law and of the Act of Elizabeth was correct, the Right Reverend Prelate had not conformed to them, in submitting those questions in their present shape. He might perhaps deny the jurisdiction of that House, and say it was not the proper place for the discussion of such matters. This was true to a certain extent, the House of Lords was not the place to determine whether the questions conformed to the 39 Articles, or went beyond them; but he thought it was the place to determine whether they transgressed the law of Elizabeth or not. Was it proper, he would ask, that every Prelate should have the power of proposing questions, framed at his own discretion, to curates or candidates for holy orders? Was it likely that men of liberal profession and education would submit to such arbitrary dictation, and he would say such harsh treatment? The adoption of such a system would be little less than recruiting for dissenters, and the general adoption of the practice would be the triumph of Dissenters. They might indeed still have a Bench of Bishops with questions in their hands but they would have at the same time a dissenting population. If the practice was wrong, he trusted it would not be found to be without a remedy. The Crown had the power of assembling a convocation,

and he thought that Ministers were bound to support an appeal to the Crown, if the practice was persisted in. Upon this ground it was his intention, after the Petition was disposed of, to move an Address to the Crown, praying that his Majesty would be pleased to assemble a Convocation, in order to ascertain whether there was reason to believe that any innovations had taken place in the discipline of the Church. He entertained the highest respect for the learned character of the Right Reverend Bishop to whom the Petition referred, and whose conduct in such cases as the present he could only attribute to over zeal; but it appeared to him to be fraught with such objections, whether he considered the individuals who might suffer from it, or the establishment itself, as it was likely to be affected by it, that he felt himself in duty bound to take the course which he had already explained, moving for the present that the Petition do lie on the Table.

The Bishop of PETERBOROUGH said, that he would go through all the allegations of the Petition, for it was on its allegations that the Petition must stand or fall, but before he did so, he would make a few remarks on the previous speech of the Noble Lord who had introduced it. He would contend, that it was not only the right of the Bishops to examine Curates, but their duty also, and that every examiner had a right to adopt his own mode of examination. It was wrong to represent the questions proposed by him as tests, the 39 Articles were the tests, and from them the questions had been deduced. The first point for their Lordship to consider was, whether he had or had not a right to examine in his own way in his own diocese? If the House once interfered in so delicate a matter as the mode of examination by Bishops, the worst consequences might be apprehended; and it was a fact, that since the first existence of the Church, no temporal authority had ever interfered with Church regulations. If now, for the first time, their Lordships began to interfere, their would be no end of it—they interfered with the Diocese of Peterborough, they must interfere with every other in the kingdom, and every rejected Candidate would feel that he had a right to Petition that House on the same ground, and call for its interference; — If he examined on points of doctrine before proficiency, he had good reason for so doing, and this brought him to the particular case which had given rise to the Petition. He was charged in the Petition with having acted unjustly towards the individual, but the individual had acted most improperly towards him. He did not send for him, but he sent questions to him. If Bishops were not to have a discretionary power in this respect, it would be better to abolish the order altogether, and as in the time of Charles the First, erect another Westminster assembly. In answer to his questions, he received answers so perplexed and ambiguous, that no less than 10 folio pages were occupied in reply to one simple and positive question (a laugh). He would have acted a more honourable part, if he declined giving any answer, instead of using studied obscurity in his pretended explanation. After this he sent another set of questions, to which he could obtain no answer; all other being refused but in the same tone. How could he say that any curate was qualified who would not enable him to judge? The Noble Lord had stated that he paid no attention to the testimonials of Bishops; but what did they pledge themselves to in signing the testimonials—merely to the fact, that those who subscribed were persons worthy of belief; and what did these persons attest?—that his character was moral and his opinions were orthodox. At the present day, however, there were so many different opinions as to what was orthodox, that he felt he was bound to judge for himself, which he could only do by adopting his own examination. He now came to the allegations of the Petition; the first was, that he had adopted a new and severe mode of examination, to which he peremptorily required answers, on pain of exclusion. In the first place, he would maintain that he had a right to examine, and his mode of examination was by question and answer. To his questions he expected plain answers; but he denied the charge of severity, and the imputation of making his own opinions the rule to which they should conform in all questions of a doubtful and disputed nature. The Petition stated, that he requires all persons to conform to his questions; but the fact was, that he had never rejected any Curate for any difference on points where hesitation and difficulty might fairly arise, but had limited the exercise of the power to cases in which there was a contradiction to the 39 Articles. The questions so much complained of, were offered in a printed form, and were, he would admit, accompanied at first with a caution, that if they were not answered, it might lead to the rejection of the applicant. The caution, however, was subsequently omitted, and the power was always exercised in the way he had described. Another allegation was, that to the 87 questions 26 more had been added. That was not the fact, instead of adding he had substituted the 39 questions. In alluding to another allegation, he contended that the 39 Articles were not exclusively the standard of Faith, but were to be taken together with the Liturgy. The attempt of the Petitioner to exclude the Liturgy shewed the principles and motives by which he was actuated, and he would caution the House against entertaining such Petitions rashly. The point at issue was, whether the bishops had right to examine in their own dioceses; His questions were grounded on the 39 Articles, and they must stand or fall with the

decision of that point. He was not bound to examine nearly as to proficiency, for he found in the Canon itself that the curate was bound to yield an account of his faith on the articles of religion. He would ask, could that be done by a mere signature to the Articles? But after all that had been said of his unrelenting severity, it was only manifested by the occurrence of three rejections in the course of five years. If the same party, which prevailed, in the time of Charles I., were again to succeed, he had no doubt but that the Prelates would experience the same treatment. After going through the other allegations, the Right Reverend Prelate observed, that the Petitioner had appealed to the Royal declaration, the meaning of which he did not seem to understand. The Royal declaration went to enforce the literal interpretation of the articles, so that it made not for the Petitioner's purpose, but for his questions. If, as the Noble Lord had intimated, an Address was presented to the Throne, it should be made in a direct manner, calling for a direct command that the Bishop of Peterborough should not issue those questions. If such a command should be obtained, he would obey the Royal mandate; but he would beg the House to consider well the step they were about to take. He had formed his questions on a review of the existing law; he had used no authority to which he was not entitled; and he had used his fair authority in the way which he considered best adopted to promote the interests of the Church. He would allow that Bishops, as well as other men, might be mistaken, and pretended no exemption from the infirmities of human nature. He had been accused of abusing his trust; but he had proved the falsehood of the allegations upon which that charge depended.—He had no personal interest to serve by the course which he was taking; if he was debarred from putting the questions he should be no loser; but he was persuaded that it was for the good of the Church that they should be put, and the experience of nine years had convinced him of their utility, the very opposition which he encountered was in itself a proof that they had answered the purpose for which they were intended. Having said so much, he should now conclude, leaving it to their Lordships to decide the matter as their judgements and consciences might direct.

Lord HOLLAND.—The Right Reverend Prelate, in the Speech he has just made, set out with pledging himself to go through all the allegations of the Petition, and to refute them. He has certainly in his (Lord Holland's) judgment not redeemed that pledge. He has ventured however in harsh language to comment on the motives of the Petitioner. Now though he was a clergyman and a Bishop, it was not given to him to know the motives of any man. Indeed throughout the whole of the speech, there was as complete an *ignorantis lenchi*, as perhaps was ever witness in the course of any discussion. Much was said by the Right Reverend Prelate as to the mode of examination. That was not the question. The question was the principle and prudence of putting that examination at all. He had spoke also of the discretionary power that a Bishop held—but that power was exercised oppressively to the individual, and injuriously to the Church. Most sure he (Lord Holland) was, that if there existed no remedy in the Church itself, or in the law, there was a remedy in the control of Parliament. It was very ambiguous whether these Canons were legal or not; but it had been considered always wild and imprudent to put a strict interpretation upon them. However authoritatively the Right Reverend Prelate argued as to the legality of these Canons, he (Lord Holland) contended that a very great doubt existed in the minds of some of the greatest authority; and he believed the forty-eighth canon on which this right of examination was attempted to be justified, applied only to the Arminian portion of the Clergy. But would any man deny that from the time of the reformation, from the era of the great man Luther, down to the time of that bad man Land, and that good man Hooker, the principles of Arminianism were unknown to the Church of England? Did any man conscientiously believe, that if questions such as were put by the Revd. Prelate had been put to many of those who had become the ornaments of the bench on which the Rev. Prelate then sat, that those very ornaments of the English Church would have ever been licensed, or ever admitted to orders? At the period of the Restoration of Charles the Second, and through the reign of William the Third, the uniform practice was to make the articles of the Church articles of peace; or, in the language of the historian of the Church, Fuller, to extend to the interpretation of these articles a discreet laxity. They had the authority even of an Archbishop of Canterbury, Archbishop Wake, in confirmation of that doctrine. That Venerable Prelate declared, that it was the uniform policy, and he trusted in God it would ever continue its policy, never to require from any Candidate for orders, or for licensing any thing but the mere subscription to the thirty-nine Articles. He should read the Latin extract, as he was anxious not to quote any authority that it was not fully in his power to substantiate. (The Noble Lord read a long extract, supporting the statement he had made.). He believed he could also assert without contradiction, that some of the very persons who had been refused licenses in the Diocese of Peterborough, returned to Dioceses where they were wellknown, and were licensed by other Bishops. What must the

result of such a system be but to create divisions and dissensions in the establishment; in fact, to have as many separate Churches as there were separate Bishops? If such a discretion did rest on the Rev. Prelate as he claimed, if it was legal, the sooner it was altered the better, because it was a most tremendous grievance. Take an individual case. A person takes Deacon's orders; in consequence he was debarred from many rights. He could neither, as was decided in the case of Mr. Horne Tooke, go to the Bar, or fulfil the duties of a Representative of the people. Preference was offered to him in the Diocese of Peterborough, but there he was met with the examination of the Right Reverend Prelate, and if either he was conscientiously silent, or gave long explanatory answers, all his hopes were at once frustrated. Such was the hardship to which an individual was exposed, who was ready to subscribe to all its Articles, and felt both a desire and ability to promulgate its doctrines. But the Right Reverend Prelate has stated that this hardship has been inflicted on only three; but how many has he deterred (*hear, hear*)? He (Lord Holland) had understood that this authority had only been exerted against those who were candidates for orders, or against Curates seeking licenses; it never had been visited on Clergymen about to be instituted to benefices (*hear, hear*). He did not attribute the motive to the Right Reverend Prelate, but he must say, notwithstanding the lofty language he held, that if the Right Reverend Prelate wished to use a vulgar phrase, without being hauled over the coals, to effect his object he, could not have acted more judiciously, by restricting his examination to Curates, without interfering with Clergymen presented to benefices. It would, perhaps, be a more troublesome effort to interfere, probably with the Crown, or the lay impropriators. Had he a doubt before of the severity and injustice of such a discretion, the avowal of the Reverend Prelate would have dispelled it. He was now convinced that it was a power, the exercise of which was most oppressive to the individual, and most injurious to the best interests of the Church. The Reverend Prelate held doctrine most extraordinary. He argued that, however he exercised on arbitrary discretion, the powers of that House could not reach him. This avowal too, from the Reverend Prelate, who had sat from day to day in the discussion of a Bill of Pains and Penalties brought against the first subject in the land, on the very ground that substantial justice could not be done, as the law did not reach the case (the case of the late Queen). But forsooth, against a bishop, when he exercised a power uselessly, ignorantly or wickedly, the power of Parliament was inoperative (*hear, hear*). The only corrective, according to the Learned and Reverend Prelate, that could be granted was through a Convocation. A Convocation was a very pretty thing to read on paper. God forbid he should ever see it again in exercise, but remain in the same inaction that it has remained for the last 150 years.

Lord CALTHORPE observed, that the Right Reverend Prelate had ventured to decide in a case which many high authorities had considered ambiguous. In his opinion, it was essential to the peace of this country, that their Lordships should express their decided reprobation of the course which had been pursued by the Right Reverend Prelate; and that they should not sanction a proceeding more pernicious and fatal than had ever been adopted by any Prelate since the reformation of the Liturgy.

The Earl of HARROWBY, having on a former occasion voted against the motion for laying the Petition on the Table, and intending now to vote for it, thought it right to state shortly the reasons for his present proceeding. When he considered the very serious allegations which the Petition contained; and that those allegations were now made for the second time, he certainly thought that their Lordships ought to take some notice of the subject. He must say, that he agreed in most of what had been said by the Noble Lords opposite. It certainly did appear to him, that the Right Reverend Prelate had gone further than the Canons of the Church warranted him in doing. He was quite at a loss to understand how the Right Reverend Prelate could consider himself justified in requiring any other explanation of the Articles than a reference to the language of Scripture. It unquestionably appeared to him to be a matter deeply affecting the interests of religion. Not only had the Right Reverend Prelate gone further than the law warranted; but, in his (Lord Harrowby's) opinion, he had by no means consulted a wise policy by narrowing the basis on which the Church of England rested. At the same time, although he would vote for laying the Petition on the Table, he was far from pledging himself to support the Address with which the Noble Lord opposite declared it was his intention to follow up his motion.

The LORD CHANCELLOR, as the Petition contained nothing of an improper nature had no objection to its being laid on the Table; but added, that if it was supposed to involve any censure on the Reverend Prelate, he begged not to be understood as concurring in it. He was ready to declare that he was at a loss to know in what way the Right Reverend Prelate would proceed unless he proceeded by examination; and as to the question of policy, he thought the Church might be allowed to know its own doctrines. He was quite willing to consent to allow the Petition

to lie on the Table, but not in the sense of its attaching any blame to the Right Reverend Prelate.

The Petition was then laid on the Table, and read.

Lord D'ACRE said, that it was his original intention to follow up the presentation of the Petition with a motion for an Address to his Majesty on the subject, but as there appeared to be some difficulties in the way of that form of proceeding, he would substitute a motion to refer the Petition to a Committee, examine the matter thereof, and to report their opinion thereon to their Lordships.

The LORD CHANCELLOR having already expressed his sentiments on the subject, would now content himself with saying, that he could not consent to the Noble Lord's proposition.

The Earl of CARNARVON expressed his astonishment that no one of the Learned and Reverend Prelates on the Bench had signified, either by word or by gesture whether he approved or disapproved of the doctrines and conduct of his Right Reverend Brother. Those Learned and Reverend Prelates' attendance on the present occasion was certainly ornamental to their Lordships House; but whether it would be practically useful, remained to be determined. He really did think that on a question like the present, their timid silence was a desertion of the cause which it was their duty to advocate. On any Constitutional question there was no delay on their part in giving their Lordships the benefit of their experience; but now, on a question of Church policy, it seemed they were prepared to go to a vote without any explanation of their opinions. What would the public think when they found, that among so many Learned and Reverend Prelates there was not one who had said a word on the subject? He trusted, however, that one would yet be found to rescue the Bench from what he could almost call the shame of so inactive a policy.

Their Lordships then divided on Lord Dacre's motion—

Contents, 19—Non-Contents, 58 Majority, 39.

On our re-admission below the Bar, we found their Lordships standing round the Table, and engaged in a conversation on the Marriage Act Amendment Bill, in which the Earl of Liverpool, Lord Ellenborough, and the Lord Chancellor participated—Eventually the Bill was read a second time, and ordered to be committed on Wednesday.

The Lordships then adjourned to Monday (June 10.)

### Law Report.

#### COURT OF COMMON PLEAS—FRIDAY, MAY 24, 1822.

##### SEDUCTION.—Gwynne v. Jenkins.

This was an action brought by the plaintiff, who is a widow, to recover damages from the defendant, for the seduction of her daughter; and presented one of the most affecting instances of the consequences resulting from the base arts of a seducer, that has ever been witnessed in a Court of Justice.

Mr. Sergeant LENS, in a plain, manly, unfeigned, but powerful address, stated the case, as one of the most atrocious instances of seduction that he had ever met with in the course of his professional experience. The plaintiff had been left a widow with three daughters and a son, and carried on, for the support of herself and family, the business of a small public-house, at Meldreth, near ten miles from Cambridge, and which had been left to her by her husband. This business, however, was found to be scarcely sufficient for their support, and the plaintiff had occasion to remove to Cambridge, to establish another concern, leaving her family and the public-house in the management of her father and mother-in-law, in her absence. Of this family was the unfortunate subject of the action, Susannah Sophia Gwynne, who was then not more than sixteen years of age. The defendant was a medical man and professionally attended upon the family; and it was at Meldreth that in the absence of the mother, he broke the trust reposed in him, and taking advantage of the opportunities which his profession afforded him, completed the crime which led to the present action, and of which they would hear the details from the victim herself. The learned Sergeant left it to the jury to say what compensation ought to be given to a widow for the ruin of her daughter, by a man who had so basely abused the double trust that had been reposed in him. By the damages which the Jury would give, they would also declare whether they thought the conduct of the unfortunate mother was free from stain, or free from the reproach of want of watchfulness over the conduct of her daughter; and concluded by calling on the jury to give such damages as would punish the defendant for the foul breach of trust and crime of which he had been guilty.

The first witness called was Thomas Cheshunt, the brother of the plaintiff, Mary Gwynne, who had been left a widow eight years ago, with three daughters and one son; one of the daughters the witness received, and had always since kept in his house for the relief of the widow. She removed from her public-house at Meldreth to Cambridge,

leaving her daughter Susannah Sophia with the rest of the family, under the guidance of their grandfather, until April, 1820. Susannah Sophia is now between 18 and 19 years of age. The witness was in the habit of visiting them occasionally, and had seen Susannah assisting in the affairs of the house. He knew the defendant Mr. Jenkins, who was at that time assistant to Mr. Crisp, and visited the family professionally. The witness first received intimation of the pregnancy of Susannah in January, 1821, but previous to that time he had certainly observed that Mr. Jenkins paid marked attention to her. Upon learning the circumstances which had taken place, the witness wrote to the defendant to come forward and explain his conduct and intentions, and in answer to this application, he received two letters, appointing an interview, but which appointment he did not keep. After some further correspondence, however, he sent a letter, which was here put in and read. It stated in effect that he would no more make his appearance at Meldreth, were the matter, which he understood was to have been kept secret, had been made known by Harriet Gwynne, one of the sisters; that his friends had deserted him, and in his unfortunate situation, he could not think of marrying Susannah, but should leave that quarter and go to the West of England. In conclusion, he declared solemnly that he would no more be seen at Meldreth. The witness continued that he had before obtained an interview with the defendant, at which the latter declared that this affair was a most unfortunate one, but that he certainly meant to marry her, for it was ever with honourable views that the intercourse had been carried on. There were however reasons for which he requested that for the present it might be kept as quiet as possible. The witness said, that he had had abundant opportunities of making observations on the character of Susannah Sophia, and had ever believed it to be that of a young girl strictly virtuous, before the intercourse took place with the defendant.

The unfortunate daughter of the plaintiff, Susannah Sophia Gwynne, was then called. She was brought into Court in the arms of her brother and her appearance was such as to excite the most powerful compassion, when viewed in the chair on the table, in which she was placed with pillows to recline upon. She appeared to be in the last stage of a consumption, and was pale, emaciated, and almost a skeleton; but even from her appearance under such circumstances, it was evident that she had once possessed considerable beauty. In answer to the questions put to her, she gave her evidence to the following effect, in so faint a tone as to be heard only close to her and which was stated to the Court by one of the Barristers. She had known the defendant for more than two years, and she was living with her mother when the first became acquainted with him. He used to call very frequently to attend upon her brother, during whose illness she was herself unwell, when he attended upon her also. It was the winter, when her mother was at Cambridge, that he came to attend the witness in her bed-room, as she was confined to her bed. He attended her for more than a week, whilst she was in this situation. For some months before this they had been acquainted and she said he introduced himself as wishing to pay his addresses to her, and it was on these terms that they had been previously acquainted. On one particular occasion, whilst she was confined to her bed, he accomplished his wishes. The intercourse went on from time to time after wards, against her inclination; as he told her, that if she did, not submit to his wishes he would never marry her but if she did, he would; In consequence a child was born in May last. The defendant continued afterwards to visit her.

Mr. Sergeant VAUGHAN in reply, assured the Jury, that in the whole course of his professional experience, he had not met with so melancholy a case as that before them. Indeed a man must be deficient of the common feelings of humanity, who did not feel himself almost harrowed up by the scene that had presented itself.—If all that had been stated by the unfortunate daughter of the plaintiff were to remain as it then stood, unimpeached, it was impossible for them not to consider it as the worst of injuries, which had been effected by the blackest artifices. The learned Sergeant then went on to state that Miss G. had been previously seduced, and called four witnesses who swore to the fact, and that she was the first to make advances.

The CHIEF JUSTICE in his charge to the Jury, said, that undoubtedly if the mother had, in any part of the transaction, consented to the dishonour of her daughter, no action could be maintained; but without stopping to enquire whether the brother did right or wrong in concealing the shame of his sister from their mother there was not a shadow of pretence in the evidence, that the plaintiff had such knowledge, or had given such consent to the fact. In considering the action, it would be asked, what was the situation of the defendant? It was that of a medical man, a situation differing from that of every other, for to him every door was open, and he was supposed to approach the bedside as a ministering angel. No door could be shut against such a character—no one could follow him, for to him the complaint was whispered in the ear, and received in sacred secrecy. That such a man should violate the sacred confidence reposed in him, was a crime of the darkest dye; and, said the learned Judge to the Jury, "if you do not visit it with the utmost severity, you will break the solemn trust that is reposed in you." For, in violating

such a trust, what greater injury could be committed by the defendant, or what could be of worse consequence? The learned Judge commented upon the manner in which the evidence had been given by the poor victim that was fast sinking to the grave that had been prepared for her, and the cause was hurried on that that event might not take place before exposure and retribution had been visited on her destroyer. He contrasted her evidence with that given by the witnesses for the defence, the first of whom who had spoken to the intimacy, had, as they saw, as it were, stood up like a villain on a pedestal glorying in his shame. They had seen the others coming forward, not with reluctance or compassion, but with wicked speed, to tell and triumph in their own infamy. And, after all, if it were true either in the whole or part, that she had been guilty of such an intercourse, that could not palliate the offence of the defendant, for he knew nothing of what had happened to her before. But it could not be believed that she had suffered these indecencies; and if the defence were altogether untrue, what a dreadful aggravation of the offence it was, that such stories and such calumnies were brought against the poor victim in a Court of Justice! In conclusion, he directed the Jury to find such damages as they thought would be short of the absolute ruin of the defendant.

The Jury, after some consideration, found a verdict for the plaintiff—  
Damages 150L.

#### ON THE CAPACITY OF THE STOMACH, AND THE QUANTITY AND QUALITY OF OUR FOOD.

[From Hare's "View of the Structure, Functions, and Disorders of the Stomach, &c."]

The relative proportion or capacity of the Stomach to the dimensions of the general system, seems essentially to influence the mental and bodily energies of man, and of the higher orders of animals. Inactivity every where relaxes the animal fibre, whether it be the fibre of muscle or of cellular tissue: and these admit of elongation, in obedience to mechanical weight, or to moving forces of any kind. The circumstances, then, of weighing down the stomach with a load of food, particularly where relaxation of the general fibre is favoured by inactive habits, must tend, by degrees, to increase its capaciousness; and in proportion as this is increased, the energies of the brain and of all the organs of sense becomes diminished: the sight, the hearing, and the smell are less exquisitely acute; the palate is not satisfied with simple viands, but requires according to the fashionable phraseology of the day something "piquant, & something 'recherchee';" and even the sense of touch is rendered less nice.

"It was well observed by the late Dr. Saunders, that we are made gluttons from the cradle, by the officiousness of our nurses. A child's health is disordered from being over-fed. It cries and complains from the effects; and, with a view to silence it, more food is given; so that the evil is increased instead of remedied, and the capacity of the stomach gradually extended far beyond the salutary bounds of nature.

"Both the quantity and the quality of our food should be proportioned to our habits of bodily exercise. When we have active exercise in the open air, we may with impunity eat a hearty dinner; taking care, even then, to leave off before the appetite is palled: but on days when persons of weak digestion do not go out of doors, and especially when the mind has not been energetically occupied, it would be well to abstain altogether from solid animal food, and satisfy themselves with simple farinaceous matters, in the composition of which, care should be taken that eggs are as sparingly used as possible.

"Nothing is a grosser blunder than that eggs are eligible for weak digestion, and for the diet of the sick. They never assimilate with the contents of a disordered stomach, but partly congeal, and from various crudities; and partly generate a noxious vapour, which, under its real character of sulphuretted hydrogen, rises from the stomach into the mouth. The colouring material of the yolk of an egg, is sulphur; which combining with the watery contents of the stomach, forms the vapour alluded to. It is the sulphur naturally contained in an egg, which tarnishes a silver spoon; it is the sulphuretted hydrogen of an impure atmosphere which tarnishes silver in general.

"Although anxious to impress the advantages of moderation in eating, and the evils which arise from undue indulgences, I wish also to impress the disadvantages and imprudence to weak stomachs of long fasting, conceiving that they should never be more than four hours without the accession of some easy kind of food; and that, even in good health, an interval of 7 or 8 hours is by far too long."

#### DEATHS.

At Edinburgh, on the 29th of May, Mrs. Agnes Stewart, relict of John Moutrieff, Esq. of Souchopwood.

At Edinburgh, on the 30th of May, Mr. James Ramsay, supervisor of Excise, Edinburgh.

#### Tithes.

To the Editor of the Morning Chronicle.

SIR,

The enormity of the Tithe System has become so apparent, as far as Ireland is concerned, that it is generally admitted some change must take place; but it has been studiously asserted in the House of Commons, that in England the system is materially different; and in the House of Lords, the Marquess of Downshire is reported in THE MORNING CHRONICLE of Friday, upon the second reading of the Bill for the Employment of the Poor in Ireland, to have said that, "there was no similarity in the mode of collecting tithes in Ireland and in England, and it did not in the least follow, that because a change of system took place in Ireland, there must necessarily be a change in England." Now, these assertions, if uncontested, may lead those who are unacquainted with the subject to believe, that the burden is here comparatively light, whereas it is in fact more oppressive than in Ireland, for there no agistment tithe is paid\*; in all other respects the law is the same, and the same vexatious proceedings take place for the enforcement of the right. For instance, in the parish where I reside, tithe is taken from the poorest labourer occupying but a few feet of garden ground, for raising potatoes and cabbages for the support of a starving family; and to the farmer the system is fraught with vexation and oppression. I shall say nothing of the injustice of sweeping away a tenth of the produce of his land without regard to the cost of production, and shall only remark upon the vexation he is subject to upon failure of complying with the demands of the Clergyman for composition, every head of cattle or sheep he brings upon his farm, if but for a single night, every one that dies, or is stolen, he must keep an exact account of (and this upon oath), in order that the tithe for a day's keep may not be lost; every time milk is taken from the cow, a mess of vegetables from the garden, or eggs from the nest, notice must be sent to the tithe man, perhaps at the distance of two or three miles; in short, in every step that he takes in his business, he is obliged to proceed with the utmost circumspection, lest by inadvertence, he should incur some of those heavy penalties which the law has so liberally provided for the protection of the property of the church: this is the state of things in this parish (and I mention it not as a singular instance), with those who will not comply with the Parson's demands, and I will leave you to judge of the nature of them when I tell you, that they are as high as when Corn was at the utmost price during the war. Now, I should be glad to know in what consists the difference of the system here and in Ireland, and why a change is not as imperiously called for here as there?

It has been repeatedly said that the composition for tithes in this country has been generally very moderate; this I deny, because, in addition to the sum required, the Clergy have generally stipulated for an exemption from poor rates, and all other parochial charges, and which in many parishes amount to from 10s. to 15s. in the pound; and if, in general, the Farmers have agreed to their demands, it has not been on account of their moderation, but to avoid the endless vexations which attend setting out tithes in kind; and although so many legal processes and warrants of distress have not been issued here as in Ireland, this is not to be attributed to the forbearance of the Clergy; but to the more provident disposition of their parishioners, who know that by exposing themselves to the penalties of non-payment, they only add to the evil, and therefore pay that debt as they do all others, as long as they are able; but now that poverty is making such rapid strides amongst them, and their inability increases to comply with the Parson's demands, the tithe system will be found to be productive of as much mischief in this country as in Ireland.

I have thought it necessary to trouble you with these observations, that in the discussion about to take place in Parliament, those Members who are not so well acquainted with rural affairs, may understand, that the tithe laws equally require revision here as in Ireland, and that we are as much in want of, and as fully entitled to the benefit of, any amelioration of them here as there.

I am, &c.

A FARMER.

\* Agistment tithe, is tithe paid for the food of cattle eaten on the ground where it grows.

#### DEATHS.

At Aberdeen, on the 1st of June, Miss Seton, daughter of the late George Seton, Esq. of Mounie.

At his seat, Englefield Green, Berks, suddenly on the 3d of June, the Right Hon. Viscount Buteley.

At No. 2, Saxe Coburg Place, on the 6th of June, Agnes, second daughter of Captain R. H. Barclay, R. N.

At her brother's house, in Stirling, on the 9th of June after a tedious illness, which she bore with Christian fortitude, Mrs. Grace Chrystie, wife of Robt. Macmillan, late of Barwhinnoch, in the Stewartry of Kirkcudbright, much and sincerely regretted by all who knew her.

# ASIATIC DEPARTMENT.

—329—

## On Machiavelism.

To the Author of the Article on Machiavelism, written for the Calcutta Journal.

SIR,

Your speculations on the subject of Machiavelism, published about a month since,\* can by no means be considered as settling at rest the long agitated question, whether the maxims indicated by the Author of "The Prince," were or were not intended to be serious. Authorities and opinions on both sides are too numerous, and too respectable to permit us unequivocally to condemn Nicolao Machiavelli as an unprincipled man, and a bad writer, until he has had the benefit of more elaborate and more impartial examination than you have conceded to him. The manner in which you have discussed the question of his merits, does not compensate for the scantiness of the materials you have furnished us with to correct our judgment: for, when a work is more than surmised to have been intended as a bitter satire, concealed under the form of irony, it is a mere *petitio principii* to attempt to prove its real nature by citations from the book itself. I will not however affect to deny that other writings of this Author do contain sentiments which may be adduced in support of your reasoning, without any other objection than that which is suggested by the probability that the caution he thought it necessary to observe on one occasion, might have influenced him throughout the whole of his compositions. But from all of them passages may be taken to vindicate the character of the writer; some of these I shall quote, and your reading will no doubt furnish others; but I had rather my judgment should be formed on altogether different grounds, and that the personal character of Machiavel and the general estimation in which he lived, strengthened by the opinions of his contemporaries, were my principal guides.

But before we enter upon this part of the subject, and I propose rather to suggest your doing so, than to do it myself, it is proper that I should briefly advert to the state of Florence at the period immediately preceding the publication of Machiavel's writings. The profuse panegyries of Rosco have surrounded every thing relating to the family of Medicis with such dazzling splendour, that our eyes are unable to look upon them with that steadiness which alone can enable us to discern their real claims to the notice of posterity. But with whatever reverence we may be inclined to view them as the patrons of learning, and the encouragers of art, it should never be forgotten that they subverted the liberties of the first and most splendid republic of modern times. It is not my intention to enter upon the memorable history of the conspiracies, executions, confiscations and banishments that marked the progress of this too popular and too powerful family; on this subject I refer you to Sismondi for ample information; but it may not be unnecessary to remind you that Machiavel, notwithstanding his attachment to some of the Medici, was upon the whole their political opponent, and that he once underwent the torture on suspicion of plotting their expulsion from Florence. This circumstance united with the consternation occasioned by the rancorous political persecution of that period contributed to produce a want of confidence in religious feelings which has been made too prominent a charge against him; since it was not the natural bent of his mind, but rather the unhappy effect of personal misfortune operating upon a temperament already too deeply affected by the unhappy situation of his native country.† In manners frank and courteous, of a disposition open, sincere, and affectionate, proud of being born a citizen of so renowned a republic as Florence, swelling with the conscious dignity of talent, and ranking amongst his most intimate friends all the most distinguished men of genius of the time, such a man was peculiarly liable to feel acutely the political misfortunes of his country: and the memorable catastrophe of Savonarola, which occurred when he was about thirty years of age, was little calculated to assuage the poignancy of these bitter reflexions.

\* Girolamo Savonarola was a man who would have done honor to the age of the Gracchi: arriving at Florence almost barefoot, he was instantly struck with the state of political as well as moral degradation, to which the people were reduced. His early studies had attached him to religion, and in pursuing them, he had acquired advantages which his birth would seem to have denied him, and which at a subsequent period called forth the astonishment even of his most intimate friends. The fervour of his zeal knew no diminution. Ardent and sincere in the cause in which he was engaged, he soon overcame every obstacle and became a great reformer. The hardihood of his spirit led him to confront the highest authority, and he scrupled not to affirm that utility was the true object, and a respect for the rights of mankind the only rule, of every public institution. Liberty appeared to him scarcely less sacred than religion, and he regarded with feelings of horror, the exertion of any species of arbitrary power. These independent principles which he made the daily subject of his lucubrations soon produced their proper effect, and moral as well as political improvement throughout the city was very striking. But in proportion as his credit increased, it drew upon him the resentment of those politicians, who substitute their own interest for the interests of society, and it was not long ere the attention of the Pope himself was directed to so alarming an object. Savonarola had not hesitated to assert that the reform required, ought to commence at the head of the Government, and Alexander could never pardon the eloquence and truth with which this opinion was supported. He considered the credit which the reformer had gained as an insult upon his dignity, he accordingly prohibited all discussion and even had resort to a Bull to effect his purpose. Attempts were at the same time made to unite all those who cherished any feeling of hostility to the preacher, whether from attachment to the person of his Holiness, or from an aristocratic pride naturally averse from tamely submitting to one who offered to assume such an ascendant over them. But these proceedings had not the desired effect; the reformer opposed every new persecution with the same unshaking firmness. Bull succeeded to Bull, and the cry of alarm for the interests of the state was echoed throughout the city. But it is needless to pursue this disgraceful narrative, enough has been said to show how little reason Machiavel had to expect success from any projects of reform if openly declared, and to point out the share which the head of the Church had himself condescended to take in the struggle.

Alexander 6th (Borgia) without being of that order of intellect which would lead us to ascribe the love of glory as his ruling passion, evinced through life an inordinate desire of popularity not less remarkable in its effect upon his actions. This ambition to stand well in the opinion of mankind gave a decided tinge to his whole conduct, and emulous of fame even in small things, his generosity became profusion, and even his most shining qualities savoured of ostentation. In the early part of his Pontificate, surrounded by men of enlarged minds and liberal views, he at once perceived and adopted the line of policy most suited to increase his personal eclat. But at a later period, when individuals of a different description had insinuated themselves into his counsels, and given another tone to that numerous class of society who look up to the conclave as their example and support, he at once changed his course and from that moment

\* Sismondi histoire des républiques, &c. cap. 96, 97, 98, and 100 *passim*.

† He was charged, says Philip de Comines (*mem* 6, 8 cap. 19) with creating discord in the city and being an impostor.

‡ Guicciardini, after describing his prudence, sagacity, and talents for business, gives us his character chiefly in negatives, *non sincerità, non vergogna, non verità, non fede, &c. ed advertissima cupidità di esaltare in qualunque modo, i figliuoli, i quali erano molti*. Historia lib. 1.

§ They were said to have instigated the Pope to proceed against Savonarola though he was not disposed at first to do so: *perche il Pontefice tenendo per se stesso poco conto di lui, si era mosso a procedergli contro più per le suggestioni et stimoli de gl'avversarii, che per altra ragione*. Historia lib. 2.

\* Vide CALCUTTA JOURNAL, for October 14, 1822, Vol. 5, No. 246, p. 585.  
† Theodore Ducas—Travels. 6.

governed upon totally to opposite principles. He became more than ever polite and courteous, but his insincerity\* was every moment more apparent. Irascible even to fretfulness, a single word was sufficient to arouse his indignation, and he became not only jealous of his authority, but meanly vindictive in avenging the slightest inattention to his wishes or caprice. On such occasions the oldest and most reasonable customs were abrogated in an instant, the privileges of all ranks were suspended, private feelings were ridiculed, and the claims of merit totally disregarded. No age, no services rendered to the state, no respectability of private character could arrest the iron hand of offended dignity. The slightest appearance of disapprobation, whether urged in the customary form of respectable remonstrance, or in the more gentle tone of insinuation, was considered as an attempt to malign his Government and resist his authority. To be esteemed an able financier had now become the height of his ambition; and provided his treasury was filled, the small still voice which should have induced him to ponder on the means by which the augmentation was obtained, never found an entrance into his breast. Hence this Pontificate was more remarkable for exaction than any other. The improvement of the land tax, as it was termed, was an inquisitorial impost of the operation of which almost every individual proprietor in the whole patrimony of St. Peter had reason to complain. The Gabbele was a gigantic and grinding monopoly. The Customs were so enormous that in some instances the merchant chose rather to abandon his property than to submit to discharge the expences of transit. And, to conclude, the supreme head of a Christian Community did not disdain to convert the most horrid and disgusting superstition into a source of public income. Such was the administration of Alexander 6th.† All good men he made his enemies, and even the bad were not friendly to him; so entirely indeed did he deprive himself of all sympathy and commiseration, that when he was gathered to the land of his fathers there remained no friend to deplore his loss, no admirer to commemorate his virtues.

In times of the complexion here described it is surely not matter of surprise that Machiavel should have veiled his meaning under the form of irony, carrying his caution in this respect so far as even to set up the son of the abovementioned Pontiff as a model and example for all future Rulers. But we are not to imagine from this that he was other than a steady friend to liberty, and a truly zealous republican in spirit, as is evinced by his hardy advice (*Discorsi* 3, 1.) to reduce every state from time to time, to the integrity of its first principle, and by the testimony of Albericus Gentiles: *Machiavelles Democratica laudator et assertor accerrimus: natus, educatus, honoratus, in eo Reip. statu; Tyrannidis summe inimicus.*

The same author too, defends him from the charge of irreligion: "as to his being called unlearned and wicked, that is nothing to me, who commend his singular prudence nor can discover his impurity or wickedness. Though if I consider the book published against him, if I reflect on Machiavel's condition, if I rightly judge of the design of his writings, and if I would help out the meaning by a better interpretation (viz. than that which Innocent Gentillet, the author alluded to, gave to it) in truth I cannot see why the deceased author's fame may not be cleared from these accusations." And on this head it may be added that the author himself states it as the first duty of a warrior to fear God; "for who," says he, "has more need of God's assistance than the man who exposes himself to constant peril." These passages I admit may not be sufficient to prove the author's opinions upon religion, but they go disprove what to the world is of greater importance, his having preached infidelity.

\* No one, says Theodore Ducas, could accompany a promise with more solemn asseverations; and we may add, violate that promise with less compunction. — *Travels*, chap. 6.

† Bonos inimicos habet, improbos ipsos non amicos, Cic. Ep ad Att 20. De republica (says Cicero at a similar epoch) breviter ad te sorbam: jam enim charta ipsa ne nos prodat, pertimesco. Itaque posthac, si erunt nihil plura ad te scribenda αλληγοριας obscurabo. — Ep. ad Att.

That he was an admirer of virtue in the abstract may be inferred from various parts of his writings. I shall notice two: The first is, where he says, that any person who should prefer Caesar to Scipio, Dion to Dionysius, &c. would be a perfect madman. *Discorsi* 1, 10. And again his maxim that virtue is essentially necessary for the establishment and preservation of liberty, and that "where the people are not corrupt tumults do no harm, but when they are corrupt good laws are of no avail," *ibid.* 5, 19. And it is remarkable that even in "The Prince" in many instances where the maxim promulgated is objectionable, it is accompanied by a qualification or apology, as if to shew the unwillingness of the writer to be considered as entirely approving of it. Thus amongst many others, chap. 15. "The man who professes himself a perfectly honest man amongst so many of an opposite character will inevitably be ruined. There is therefore a necessity that the Prince who would stand his ground should learn the faculty of not being good when required." And again chap. 18, after telling us that the Prince should not hesitate to break his word when necessary—"this precept should not be given if all men were good; but there being so many wicked and deceitful it is for a Prince's security to know how to be so too."

On the question of irony I shall transcribe what Boccalini, nearly a contemporary, puts into the author's mouth as his apology. "If what I have printed is a new doctrine invented by me, I only beg to receive whatever punishment my Judges may think proper to inflict: but if my writings contain nothing but those political precepts and those rules of states, which I have derived from the action of some Princes I could name to your majesty, what reason and what justice is it that they who have invented the severe and poisonous policy written by me, should be considered sacred, whilst I who did no more than publish it should be looked upon as a rogue and an atheist. Certainly I do not see why the original should be adored as holy whilst the copy is burnt as infamous."‡ Irony is in fact a mode of speech which it is exceedingly difficult to manage, like satire it owes a great portion of its immediate effect to contemporaneous facts and local application; with this disadvantage, however, that instead of sinking into comparative insipidity when the circumstances that gave it life and animation have retired into oblivion, it acquires an air of seriousness which renders it difficult for posterity to judge of its original design. It is scarcely necessary for me to remind you of numerous instances in point. I shall therefore content myself with merely remarking that some of the commentators have thought it expedient to vindicate Tacitus from aspersions of the same nature as those I am now endeavoring to combat, and, in our own day, Burke's "vindication of natural society" was actually republished in order to aid the cause which it was intended to crush.

Upon the whole then I must think it unjust to condemn Machiavel and his writings in the unqualified manner you have adopted. I consider him as having taken an unfavourable view of human nature in the abstract as Rochefaucauld did; like him, however, he was far from inculcating immorality, and like him too he was a good and amiable man in his private character. His political opinions were those of the age in which he lived; and without permitting myself to doubt his intention, I can only regret that the system of dissimulation which everywhere obtained amongst the petty Governments of Italy at the time he wrote was not reprehended in a manner less calculated to mislead posterity.

Yours,

Calcutta, Nov. 20, 1822.

JUSTUS.

\* Che dove la materia non è corrotta, i tumulti ed altri scandali non muocono; là dove la è corrotta le buone leggi non giovano.

† Raggiali di Parnasso.

#### HIGH WATER AT CALCUTTA THIS DAY.

	H. M.
Morning,.....	0 20
Evening,.....	0 46

## Colony of New South Wales.

To the Editor of the Sydney Gazette.

SIR,

It has been always broadly asserted, both here and in England, and asserted without an attempt at contradiction, that New South Wales is an enormous expence, not to say burden to the Mother Country. I deny the position; and am willing (if called upon) to demonstrate by the most palpable calculations, that this Colony has been, and will still continue to be, if not checked in its agriculture a *saving* to Great Britain; and has provided no small means of mitigating those peculiar evils by which she is at present overwhelmed. I can, however, only hint in this place at the outlines of such a calculation. It is founded on the following view of the subject:—

The question on this subject, however is, not *how many millions has New South Wales cost England?* as if the total thereof were exclusively disbursed for the benefit of the Colony, without regard to the interests and convenience of the Mother Country, and for which therefore the Colony was her debtor; but the real question is, *how much would the tens of thousands of malefactors transported hither have cost England had they all been subsisted in her hulks, gaols and penitentiaries?* And it may also be added, what further expence and dilapidation would the Mother Country have had to endure, if so mighty a mass of vice, sedition, and impiety had been retained in the bosom of agitated community? The Millbank penitentiary has already cost England a quarter of a million, and is not yet completed—a sum which would cut no mean figure by the side of the whole expence of establishing this Colony. The inmates of that house of reformation, reckoning the interest of the money sunk in the building, and the salaries of the keepers, &c. &c. are on the whole, subsisted at a greater expence, than what an equal number of criminals would be, if transported to this Country. And look at the *result* of the two plans; every reformed convict, who, on leaving the penitentiary, is fortunate enough to procure employment, and is inclined to work, thrusts out of employ an unconvicted man, struggling to give bread to his family. Thus, a member of Parliament justly observed to Mr. Bennet last Session, the penitentiary supplies the workhouse with inmates, and the workhouse supplies the penitentiary. In short, Mr. Editor, the penitentiary system, in *old* communities, is radically wrong. They answer only in *young* countries, where population is wanted.

Again.—That branch of taxation in England called the poor rates, now amounts to ten millions sterling a-year. It has been estimated, that this astounding sum (above twice the amount incurred in founding this Colony from the first fleet to the last arrival), is distributed on an average amongst more than a million of families. Of these, one-twentieth part, viz. fifty thousand families consume five millions out of the ten, and are supposed to be entirely sustained by the parish. Thus it would appear there are in England; at this moment, fifty thousand families *wholly* out of employment, and the other fifty thousand are short of full employment, to the amount of the other five millions. Now, if we allow each of the million families to consist of five souls, it will be evident that there is an excess of population in the Mother Country at the present period of five millions of people. For we ought to call that part of every community excessive or super-abundant, which is unable, by moderate labour and exquisite skill, to maintain itself independant of public alms. The framework-knitters of Nottingham assure the Houses of Parliament in their affecting petition that they have been obliged to pawn their beds; that they lie on chips; that they have no fuel in winter to warm them; that they live chiefly on gruel; and that they send their children to bed to keep them from crying for hunger.

But England is not only ruined at the present moment by an excess of people, but also by an excess of money. This, indeed follows as a natural consequence. The five millions of people now out of full employment, have released that portion of the national capital which during the war, occupied all their labour. Thus the Edinburgh Review, and the Chancellor of the Exchequer, both acknowledge that vast capitals have been trans-

lated to the public funds, husbandry, mines, fisheries, and manufactoryes of America, France, Holland, and Prussia, respectively. Those countries are, therefore, now underselling England by means of her own capital. The immense loans, too, which the London loan contractors have advanced to France and Spain since the war, equally demonstrate the vast disengagement of British capital since the decline of British husbandry and commerce. Mr. Baring, alone, undertook to discharge to the Allies the immense instalments which France was compelled to pay during her occupation by the Duke of Wellington. The loan, ordered by Parliament in 1813 to liquidate the arrears of the taxes, the largest ever known, amounting to above 40 millions sterling, was the perfect destruction of this sum *as capital*. The sums lent the French, the Spaniards, the Prussians, and the Americans, may possibly one day return; but this 40 millions was the conversion of capital into consumable revenue. The capital was sunk for ever; and the interest thereof was added to the interest of the national debt, which, together with the taxes and poor rates, now amounts to 79 millions sterling a-year. Nevertheless, the low rate at which money can be borrowed in England, proves that capital is still plentiful there; indeed, so long as the *population* remains excessive, *capital* must be excessive; for the excess is not like the rapid population of a new country overstepping the increase of wealth, but a population fully occupied by capital, and suddenly cast out of employment, from its productions being no longer in adequate demand.

It is curious for the economist to contemplate the strong contrast exhibited at this moment by England and this Colony. In England there is too little good land and a deficiency of cheap bread. In New South Wales there is good land, almost infinite, and plenty of cheap bread.—In England there is an excess of people especially of females (Colquhoun says an eighth), and of Capital—in New South Wales there is a deficiency of population (especially of females say three-fourths,) and of Capital. Our virgin soils and pastures have laid idle since the flood, and are likely to continue so for want of those active principles of which England has at present so destructive an excess. Yet the primeval command of the Creator still remains imperative and unrepealed. He says not, “expend your superfluous people and wealth in war and conquest,” i. e. in *conquering* countries (as England has done to the amount in one century of half-a-thousand millions sterling), but—“increase and multiply, and replenish the earth and subdue it.”

It is not to be wondered at, that with a starving population vast numbers of the parochial poor of England are annually convicted of various degrees of crime. Only a small portion, however, is transported to this Colony;—about 2000 males and 150 females. The mighty remainder are punished at home by fine, by whipping, and by imprisonment, in the gaols, hulks, and penitentiaries of the United Kingdom; and are from thence again vomited on society, seldom reformed, generally debased—on a society, be it remembered already surcharged with labourers.

Now, in New South Wales, between Ports Jackson and Macquarie, there is a country fertile enough to maintain the whole population of England, much more the million of families mentioned above. During the last seven years above fifty millions sterling have been expended in preserving these people at home barely alive, a prey to discontent and despair. One single year's poor-rates would translate such part of this useless and baneful host to the plentiful shores of Australia as would be necessary to create full employment at home for the remainder, provide the new settlers with implements of husbandry, with seed and with food and raiment, till they could grow their own in their newly adopted Country.

It is still a prejudice, however, though I believe not so deeply rooted as it was a century ago, that to part with an industrious population, under any circumstances, is to part both with wealth, and the principle of wealth. “Who are to consume our goods?” Say the old economists. I answer, according to better doctrine, *the same people*. The only difference is, that their custom will be three times as great when transplanted to a prosperous colony. At home, they will not rear children

enough to take their own place in society—in a new country their offspring will be a *host* of customers.

But, if from ignorance of the resources of this beautiful and fertile country. His Majesty's Ministers and Parliament are not yet excited to put in force so gigantic a plan of philanthropy and patriotism, yet, as far as they are willing to mitigate the evils of an excessive population by transporting their convicts here, let us hope our worthy Governor will, by cherishing our agriculture, enable us, settlers, to support them free of expence to the Mother Country when they do arrive. There is in small communities like ours a principle of conversion, which renders the vices of our imported convicts comparatively harmless. In an old surcharged community, the temptations to theft are great—to industry few; the difficulty of procuring employment and the extreme lowness of wages discourage the most virtuous. In new colonies, on the other hand, the temptations to theft are weak, and the prices of labour exorbitant. Who sell our woods, build our towns, cultivate our fields and provide food and lodging at a cheap rate (compared with the Milbank Penitentiary very cheap) for the hosts of *fresh* malefactors annually disembarking in our ports? *The Convicts of England?* Who are the parents of the promising rising generation? *The Convicts of England?*

Equal injustice has been done to this interesting Colony in another point. Besides being accused as burdensome to the Mother Country, no reproaches have ever been thought bitter enough to represent the grossness of our demoralization;—the most sarcastic sneers are considered Christian-like, provided their subject be the Colonies of New South Wales, and Van Diemen's Land.

I have read most of the works lately published on other Colonies.—I have perused with care Edwards's West Indies, Lambert's Canada, Fearon's America and Brickett's Illinois, and I do not hesitate to aver, that if the narratives of these authors be correct, the morals of New South Wales are superior to those of any of the above countries. But I will go farther. I know the state of the lower classes in the sea-ports and large towns of England. At Wapping in London, at Liverpool, at Portsmouth, at Cork, at Yarmouth, at Manchester, and at Birmingham; and do not hesitate to say, that Sydney is more orderly in the week-day, and more solemnity pervades our streets on the Sabbath day, than at any of the above towns. As to zeal and intelligence in our Ministers of Religion, and in the Conductors of our Bible Societies, Missionary Societies, Sunday Schools, and Benevolent Societies, America, Canada, and the West Indies are far behind us. If then, this Colony mitigate the expences of the Mother Country and carry off her criminals, transforming them at the same time into industrious colonists, and all by means of her infantile agriculture, I feel assured that our worthy Governor will ponder before he take any step, that might at all nip the growth of so beneficent and productive a principle.

I consider, Mr. Editor, that the convict barracks of Sydney, Parramatta, and Windsor, a political barometer, by which government may always safely regulate the price of our grain and animal food. When these asylums are nearly empty, our worthy Chief may venture to lower the price of produce;—say a shilling, a bushel in grain, and a halfpenny a pound in meat;—if they continue empty the next year, the prices may again be moderately reduced;—if they still remain empty, it will be evident our agriculture has arrived at that degree of maturity, which no longer requires the aid of a *maximum*. The Commissary may thenceforward advertise to supply His Majesty's Stores by sealed tender; but such tenders, to be fair, ought to be opened in the presence of the tenderers when all present.

But if, after the first or second reduction of prices, the penitentiaries gradually begin to fill, let it be a warning to elevate them to their old standard. No test can be more infallible of the impolicy of continuing the depreciated prices.

The convict barracks of New South Wales are not a jot to be preferred to the gaols and hulks of England. Such asylums,

in their very nature, are nurseries for crimes of the worst species, and their inmates can never be maintained at so cheap a rate as when let out to settlers. Besides which, not one third the quantity of work can or will ever be procured by the overseer of a government gang, from the same number of men, as will be by a settler. The prosperity or bankruptcy of as settlers, depends on our keeping our men *hard at work*,—the best and only cure of those distinguishing vices of the convict; viz. idleness, recklessness, love of change, and profligacy.

When the agriculture of the colony shall have been so advanced by the liberality of government, as entirely to empty the convict ships as fast as they arrive, then reformation will be universal and thorough. Take a trifling instance:—I employ a number of convicts, I allow no swearing and cursing among them, nor other insolent demeanour:—I carry the audacious ruffian, who offends in these points, before the nearest magistrate, for disrespect, and for setting an insubordinate example, and he gets punished:—Do the overseers of government gangs do this?

To conclude.—The greater the prices which government gives for colonial produce in our present infantile state, the greater will be our demand for convict labour:—the less will be the amount of the bills, at least in the long-run, which will have to be drawn by our Commissary on the Treasury:—the greater will be the reformation of the convicts:—and, above all, the greater will be the virtue of the rising generation.

The mother country has languished, for the last seven years, for want of adequate markets and prices for *her* productions. I mean the productions of her manufactories, her fisheries, her mines, and her husbandry. But will the depreciation of the little market of this colony at all diminish her mighty distress? It may for one year or for two, lessen it an imperceptible fraction; but in the succeeding years there will be a revulsion in the agriculture of the colony, which will fill our penitentiaries, and astonish the Lords of the Treasury by the overwhelming increase of our Commissary's drafts. A liberal outlay in this Colony, for the next ten years, then, will be found the only *true* frugality. That economy is only worthy of the name, which is *permanent*, and which provides within itself for its own savings, and which does not defraud other funds. The more capital England invests in this country the next 10 or 20 years, the more we shall be able to employ, free of all expence to the Crown, every man and woman convicted in her Courts of Justice;—till, like America before her independence, our demand for convict and other labour will be so pressing, that we shall be glad to hasten from our farms on the arrival of a fresh transport, and offer a premium for the services of the convicts on board, large in proportion to the term of their respective periods of transportation.

#### AN OLD EMIGRANT SETTLER

#### CALCUTTA BAZAR RATES, NOVEMBER 23, 1822.

	BUY	SELL
Remittable Loans, . . . . .	Rs. 20 6	20 2
Unremittable ditto, . . . . .	14 0	13 12
Bills of Exchange on the Court of Directors, for 12 Months, dated 31st of December 1821, . . . . .	28 0	27 0
Ditto, for 12 Months, dated 30th of June 1822, . . . . .	26 0	25 0
Ditto, for 18 Months, dated 30th of April, . . . . .	23 8	22 8
Bank Shares, . . . . .	5100 0	5000 0
Spanish Dollars, per 100, . . . . .	206 0	205 8
Notes of Good Houses, for 6 Months, bearing Interest, at 5 per cent.		
Government Bills, Discount, . . . . .		at 3-8 per cent.
Loans on Deposit of Company's Paper, for 1 to 3 months, at 4 per cent.		

#### PRICE OF BULLION.

Spanish Dollars, . . . . .	Sicca Rupees	205 0	205 12	per 100
Dubloons, . . . . .	30 8	31 8	each	
Joes, or Pezas, . . . . .	17 8	17 12	each	
Dutch Ducats, . . . . .	4 4	4 12	each	
Louis D'Ors, . . . . .	8 4	8 8	each	
Silver 5 Franc pieces, . . . . .	190 4	190 8	per 100	
Star Pagodas, . . . . .	3 6	3 7	6	each
Sovereigns, . . . . .	9 8	10 0	each	
Bank of England Notes, . . . . .	9 8	10 6	each	

# ASiATIC DEPARTMENT.

—333—

## Public Concert.

Mr. Linton's First Concert on Friday Evening, was held at the Theatre in Chowringhee. We regret to be obliged to commence by saying that it was not half as well attended as we think it deserved to be, considering that greater pains and expence had been incurred in the getting up this excellent Entertainment than had perhaps ever before been bestowed on any similar attempt in India:—and that by the admirable arrangements of the Director, the adaptation of the Stage to the Orchestra, and the strength and efficiency of every department of the performance, it formed altogether one of the most scientific and perfect Concerts that we have ever witnessed in Calcutta.

The Selection of the Music and Songs (with one single exception which we regard as a sacrifice of good taste to national partiality): was of itself sufficient to evince the superior qualifications of Mr. Linton as a Director of Musical Entertainments; and the part he bore in the execution did as much credit to his skill, as the arrangement and selection did to his taste.

We should mention that the Stage being converted into an Orchestra was enclosed with side, back, and ceiling scenes, of a Gothic character, painted expressly for the occasion, and chastely appropriate. The front of the Orchestra projecting over the Pit, and separated from it by a suitable division, was occupied by the numerous male and female Chorus Singers, who had been engaged for the occasion. Behind these, the Instrumental Performers rose gradually above each other, and the whole terminated with a view of a superb Organ, in the centre and rear of the Stage, forming altogether a *coup d'œil* of the most pleasing kind.

The House was not more than half full at eight o'clock, when the Concert began. The opening Piece was from the Overture to the Seasons, expressive of the change from Winter to Spring, and this fine composition of Haydn's was played with excellent effect. The Chorus, "Come, gentle Spring; ethereal mildness, come," which followed this, was well sustained; and the Recitation and Air "With eagerness the Husbandman forth drives his lusty steers," sung in good taste by Mr. John Linton.

Mr. Kuhlau's Concerto on the Clarinet was executed in a manner that shewed a complete mastery over the instrument. We are glad to see this useful and deserving Professor again added to the Musical strength of Calcutta, and hope his varied talents and constantly accommodating disposition will ensure him that share of public support to which long previous services added to his present exertions give him a well-established claim.

Mr. Schmidt sang Sir John Stevenson's beautiful Song of "Faithless Emma" in a pleasing manner. There is sometimes an appearance of exertion, which is painful to the auditors to witness, though it may not be felt by the Singer in the same degree. Every thing, however, that gives an idea of pain must lessen the satisfaction with which vocal exertions can be listened to by others; and for this reason it must be desirable to avoid it. The Song, however, was sung in good taste, the ornaments judicious, and the plaintive air and manner, or rather the sentiment of the Music well preserved. We should not omit to add that Mr. P. Delmar's Flute Accompaniment to this Song was heard with that pleasure which its tones never fail to give to all who hear them.

The Chorus from Haydn, "Joyful flows the Wine," was sung with more force and effect than the preceding one from the same Author.

To this followed Handel's splendid composition (for it merits that appellation in its strictest sense) from the Oratorio of Sampson, the words and sentiments of which were so powerfully represented by the tones in which they were uttered, that it was impossible not to feel the force and beauty of this union of sense and sound.

Total Eclipse! No sun! No moon!  
All dark, amidst the blaze of noon!

O glorious light! No cheering ray,  
To glad my eyes with welcome day.  
Why thus deprived thy prime decree?  
Sun, moon, and stars, are dark to me.

We should not do justice to Mr. Linton's masterly execution of this sublime and difficult composition, if we did not bestow on it extravagant praise. It was by far the finest piece of vocal music that we have ever heard from any male singer in India; and whether from Mr. Linton being in better voice than usual, or from the Theatre being better adapted than the Town Hall to give effect to sounds, we know not; but we certainly never remember to have heard Mr. Linton himself to such advantage before, as in this magnificent flight of Handel's truly sacred genius.

Fischer's Minuet, tho' an old theme, afforded an opportunity for the display of some excellent Instrumental Variations, in which Mr. Scheidlenberger's Violin, Mr. Linton's Piano, Mr. Kuhlau's Clarinet, Mr. P. Delmar's Flute, and the Leader of the Artillery Band's Oboe were all heard to great advantage.

The Second Act opened with the Overture to Guy Mannering; and from the variety of popular Scots Airs introduced in it, was almost sure to please.

The Rondo of Bishop's that followed,—"Ah! can I e'er forget thee, Love," was sung by Mr. Linton, in the light and airy manner which the Song required, and was very generally and powerfully encored.

The Recitative and Air from Dr. Calcott, were sung by Mr. John Linton, in good voice and manner. The words by Campbell are worth repeating.

Friend of the Brave! in peril's darkest hour,  
Intrepid virtue looks to thee for pow' :  
To thee the heart its trembling homage yields,  
On stormy floods and earnest cover'd fields:  
When front to front the banner'd hosts combine,  
Halt e'er they close, and form the dreadful line.  
When all is still on death's devoted'd soil,  
The march-worn Soldier mingles with the toil,  
As rings his glittering tube, he lifts on high  
His dauntless brow and spirit-speaking eye;  
Hails in his heart the triumph yet to come,  
And hears thy stormy music in the Drum.

Mr. Schmidt's execution of the "Canzone Militare" by Fioravante, was in perfect unison with the spirit and intention of the Song, and well sustained throughout.

Mr. Scheidlenberger followed with a Polaca from Spagnolletti, not so gay and pleasing as many that we have heard from the same source, but still executed with great feeling and delicacy, and with that peculiarly melancholy tone which characterizes Mr. Scheidlenberger's playing and which is admirably suited to Adagios and Cantabiles, but would be better if replaced by animation and spirit in Polaccas and the lighter and more gay movements of that description.

Fioravante's Terzetto "Santo Giove" was sung by Mr. W. Linton, Mr. J. Linton and Mr. Schmidt, in an agreeable and lively manner.

The Song and Chorus of "Auld Lang Sync" was quite unsuited to the place and the occasion; and perhaps was never before numbered in the same List with so sublime a Piece as Handel's "Total Eclipse." It is no doubt a fine old national and convivial Song; but it would appear more in place at a supper-table, and the Singer with a "pint stoup" in his hand, than in front of a fine organ and a scientifically arranged orchestra.

Speaking of things misplaced, we may also mention the ill-timed hum of general conversation prevailing apparently in every quarter of the House, which may no doubt have been exceedingly agreeable to the parties concerned, without on that account being the less an interruption to the pleasure of those who came to hear the music of other tongues rather than to delight in the noise of their own. Any one who should take a

Hookah into the Theatre would we imagine be considered guilty of a great indecorum; but a Hookah would not be half the interruption to the "concord of sweet sounds" that twenty voices in the same group, occasionally swelled by bursts of laughter from adjoining boxes must necessarily produce.

The Finale, though a Piece of Mozart's, was scarcely listened to; and even the name of Jupiter could not command sufficient respect among the audience to "hear him out."

On the whole, however, we can say with strict propriety, that we think the Concert of Friday, one of the best that we have seen in India, for some time past; and all that was further needed was a more numerous audience, which we hope the next of the Series will command.

### Court of Requests.

Sir,

To the Editor of the Journal.

The silence which has for some time past been observed on the subject of the Court of Requests, had induced me to believe that those who have been so active in pointing out what they are pleased to term the *abuses* of the Petty Court, were at length ashamed of the unmanly and invidious course they had pursued. I perceive, however, that the detractors are at work again in the HURKARU of this day, a Paper by the way which seems to have arrogated to itself the peculiar merit of endeavouring by every means in its power to bring into public contempt the Administration of Justice. I am aware that little notice is due to one who has not sufficient openness to make his accusations in his own character, and to apply for redress in that quarter where it is never refused when the application is made through the regular channels; still it is of importance to the interests of Justice, that the evil consequences of such unjustifiable interference with responsible Functionaries, should be made known. Is the Writer in the HURKARU aware of the serious effects that may result from his ribaldry? In the state in which this country now is, the free discussion of such topics cannot be indulged in without danger; and if the Natives are encouraged to question the propriety of Judicial decisions, the motives of the Administrators cannot be expected long to escape animadversion. With respect to the subject which has called forth the sneers of the *public spirited* Correspondent of the HURKARU, had he possessed a grain of candor, he would have acknowledged the evil in question to be one of serious import. The insolence and effrontery of Native Servants has increased to an extent, which calls for the most vigorous measures for its counteraction, and the wholesome severity exercised on the present occasion, is likely to prove a salutary example to those whose troublesome and impudent conduct, is productive of so much annoyance to the respectable part of the community. Surely no one will assert, that the punishment in the present instance was greater than the offence called for! But it is vain to attempt to satisfy those, whose sole object is detraction, and who to gratify that object, will not scruple even to tax their invention for the collection of materials. The miserable scurrility (probably intended as wit) about the erection of a Statue, is beneath notice. The Gentlemen whose conduct is the subject of this Writer's remarks, seek no other reward than what they find in the approbation of their conscience.

Your's, &c.

November 23, 1822.

A FRIEND TO JUSTICE.

Note.—We give insertion to the above, according to our invariable practice of letting both parties be heard. Our readers will see the Letter referred to among our Selections, and will find little difficulty in deciding on the merits of this question; we therefore abstain from making any remarks on so plain a matter.—EDITOR.

### COURSE OF EXCHANGE.

BUY.]	CALCUTTA,	[SELL.]
3 a 2½	On London 6 Months sight, per Sicea Rupees.....	2 a 2½
	Bombay 30 Days sight, per 100 Bombay Rupees,....	92 *
	Madras ditto, 94 a 98 Sicea Rupees per 100 Madras Rs. *	

### Supreme Court.

CALCUTTA SUPREME COURT, NOVEMBER 23, 1822.

*Richard Foley, versus James Smith, case of Debt on Bond.*

This case was opened by Mr. Wheatley, who, together with the Advocate General, appeared on behalf of the Plaintiff, by producing the Bond by which Mr. James Smith of Cawnpore, better known in Court by the name of little Smith, bound himself in the payment of the penal sum of Sicea Rupees 62,042, or a conditional one of Sicea Rupees 31,021, with interest at twelve per cent. per annum, to be paid on the fourth of April 1821, in default of which the whole of the Bond should remain in full force, dated at Cawnpore, 4th of August, 1820.

The Advocate GENERAL, then called

WILLIAM GEE, one of the signing witnesses, to attest the Bond, which he did.

MR. FERGUSON, who, together with Mr. Marnell, pleaded for the Defendant, said that the Bond was illegally wrong from his Client, who, as he would prove by evidence, had been falsely imprisoned and kept in duress in a small room which was not fit for a human being to live in, and otherwise maltreated, to compel him to sign this Bond. Mr. Foley had arrested his Client for a debt which was not due to him, in fact he had told Mr. Smith that he only wanted the Bond to show to the house of Fairlee Ferguson, and that he was compelled to ask it of him to satisfy Messrs. Maxwell and Burnett, at Cawnpore, who were agents for that house, and who, he feared, would seize his Bungalows and Factories. Mr. Smith was confined in an unfurnished Bungalow of Mr. Foley's, under the custody of a Sheriff's Officer, by the name of Hill, who was little better than a beast, the most filthy wretch in the world, and always drunk, the Bungalow was surrounded by armed men, and Mr. Smith occasionally not allowed to see his friends or receive or write letters to any of them without first subjecting such letters to the perusal of this Hill. It would be proved that Mr. Smith had made repeated applications to be sent down to Calcutta to bring the case before the Supreme Court, but that notwithstanding he was kept in close confinement in a room, which one of the witnesses for the Defendant stated to be hardly fourteen feet square. It was the duty of the Sheriff to send him down to Calcutta, if Mr. Smith wished it, and he had no business to keep him there even a day after he had expressed a wish to quit Cawnpore. It had even been said that this Hill had received 1000 Rupees from Mr. Foley to detain Mr. Smith, but even this was not all, they had dragged Mr. Smith from his Factory at Chowdreepoor, a distance of nearly fifty miles, to confine him in Cawnpore, and this too at a time when Mr. Ravenscroft and his accomplices had it in contemplation to seize upon his factories, and he (Mr. Ferguson), had no doubt but they were concerned in this false imprisonment also.

Several witnesses were then called who spoke much to the same effect. One witness had never seen any person confined for debt placed in such a miserable filthy place. Mr. Smith was kept in custody eight days, had repeatedly demanded to be sent to Calcutta, but was not permitted to go. On the presentation of the Bond to Mr. Smith, for signature, Mr. Foley had shaken his fist in his face, and told him "if you were not my prisoner I would give you a good thrashing. Witness admitted however that Mr. Smith had previously used harsh language to the former. On the Bond being signed Mr. Smith was released.

MR. FERGUSON observed this was his case.

SIR FRANCIS MACNAUGHTEN said that there was no doubt but Mr. Smith had been very ill-used, and that he thought he had a very good case to bring before the Court hereafter, but since the signature and the Bond were sworn to and proved he must give a verdict for the plaintiff. Payment of the conditional sum of the bond with costs and interest.

Selections.

**Bombay, November 2, 1822.**—Yesterday morning arrived the ship **BARKWORTH**, Captain John Pedlar: she left Portsmouth 2d June, arrived at the Cape 6th Aug., and sailed again 4th Sept.—**Passengers**.—Mrs. Harris, —Mrs. Hall, —Mrs. Pepper, —Miss. Hudden, —Major Tucker, —Doctor Gibson, —Lieut. Hall, B. N. L.—Lieut. Pepper, H. C. M.—Lieut. Harris, late Poonah Army, —Mr. Howison, Assist. Surgeon, —Mr. Morris, Assist. Surgeon.—Mr. Gran, Cadet Eng.—Mr. McGillivray, Cadet Eng.—Mr. French, Cadet Inf.—Mr. Ferrier, Merchant.—Mr. Geo. Taylor, Merchant. *Landed at Cape 16th August.*—Mrs. Jones, —Mrs. Daniel, Miss Daniel, Mr. Jones, Capt. Daniel, Master Daniel. *Landed at Calicut 18th October.*—Mrs. Stokes, —Mrs. Ford, J. Stokes, Esq.—Major Frazer, Ceylon Regiment, Lieut. White, Lieut. Poole.

She spoke the **RSCOS** from Bombay on Saturday last, proceeding for Alipore.

A few days before the **BARKWORTH** left the Cape, a small brig arrived from England, whence she had sailed 20th June. We have been fortunate enough to receive papers of the 13th and 16th June, the latest she brought out, from which we have made a few extracts.

Peace between Russia and the Porte was likely to be maintained.

Mr. Stuart had been tried for the murder of Sir Alexander Boswell Bart. in a duel, and acquitted.

The **JAMES SIBBALD**, Capt. Forbes, for Bombay, left Portsmouth 11th June.

We are happy to learn that all the passengers of the late ship **SARAH**, Norton, were safe at the Cape when the **BARKWORTH** left that place, excepting some who had proceeded on to England in another vessel.

There were accounts at the Cape that the **SARAH**, Thacker, had reached England.

We do not hear of any other intelligence of importance.

By private letters from Bushire we learn that the Prince Royal of Persia had obtained a signal victory over the Turks. As the latter were besieging the port of Imprah Kallad, the garrison earnestly entreated assistance of the former. The Persian troops proceeded to their relief, and the Turks advancing from their position, a rencontre ensued, when the Turkish army was soon thrown into disorder and completely routed. They were pursued to their encampment, which was taken, with about 8000 prisoners, twenty guns with their stores and ammunition. On the cause of this hostility we cannot at present offer any remarks; nor will we descent on its consequences further than by stating the improbability of its embroiling the European powers in the contest.

We have had an opportunity of inspecting the print advertised in our last COURIER of the battle of Kirkee; and considering the disparity in numbers of the hostile armies in the field, which necessarily led to the British being formed in a small compact body, opposed to a mass of undisciplined troops, which could give rise to very little variety of operations, the ingenious Officer who originally drew the sketch, has certainly made the most of his slender materials. The scenery is said by those who are familiar with it, to be correctly exhibited, and there is great spirit of execution and fidelity of portraiture in the right and left of the scene of action, where the enemy made powerful attempts to outflank us, in which they appear to have been foiled by our artillery, the effect of which is well described. We are happy to find so respectable a memorial of a battle highly creditable to the Bombay army, and the result of which unquestionably gave a tone and character to the subsequent operations, by proving how completely a loyal and well disciplined band could overpower a force six times greater in strength, but unaccustomed to a cool and collected application of its intrinsic energies. The print is most appropriately dedicated to the Honourable Mounstuart Elphinstone, Governor of Bombay. —*Bombay Courier*.

**Fraudulent Broker.**—We understand that on the 14th of October last, a Broker named Gourroy having called upon a Gentleman, informed him that a person had for sale Government Securities bearing interest at 6 per cent. per annum to the amount of Sixta Rupees 65,000 and persuaded him to purchase them. The purchaser in the hope of making some profit consented to it. The Broker then asked the Gentleman to lend him 16 rupees, which he promised to repay the day after, and having obtained the loan, went away. On the fifth day, the 19th of the same month, at 2 o'clock the Broker came again and deposited with the Gentleman Six Government Securities to the amount of Sixta Rupees 35,000 and said, "The proprietor of these papers will deliver to you the remaining papers for Sixta Rupees 30,000: Can you now oblige me with an order on the Bank of Bengal for Rs. 9,790 in my favor? I will in that case obtain the remaining papers for which I paid an earnest on the 14th inst."

The honest purchaser in the hope of gaining a considerable profit from this bargain, gave him the order required, but he endeavoured to

get the remaining papers into his possession before the Doorga-poojah Festival, during which time all business was to be at a stand. He then came himself to the Bank of Bengal, where he saw his own Sircar and the said Broker; the latter said, "Those papers belong to Military Gentleman, who is not yet come: I shall go and bring him here."

The purchaser bid him make haste, and told him he would wait his arrival there; so he stopped till half past three o'clock, and then went to his own house, ordering his Sircar, to let him know when the Broker returned. The Sircar also waited some time in vain, and on enquiry he found that the Broker through the order of the Gentleman, received 9,700 rupees from the Bank and went away. One Bissumbur Dutta, in the service of Rammrajan Day, being present, said to him that the Paper amounting to Sixta Rupees 35,000 which the Broker gave to that Gentleman, belonged to his master. The Sircar went to his master, and told him all the particulars. The Gentleman, who had an aversion to any kind of litigation settled with Rammrajan Day, the proprietor of the Paper, and returned them to him without receiving the money which that unprincipled Broker took away. —*Mirat-o-Ukhbar*:

**Gaiety of the French.**—That the gaiety and hospitality of the French, so proverbial in Europe, do not forsake this gallant and amiable people even in this land, considered so conducive to sombre ennui, has been already noticed in our Indian Papers in terms of cordial admiration; and we shall be happy if the following communication handed to us for insertion, stimulate our more sober countrymen to emulate this merry and happy race of mortals who seem to make life an agreeable pastime, while others endure it as a task. It may perhaps aid the appeal of a Cotemporary given in a subsequent column to the Sons of St. Andrew, who are called upon at this congenial season, to celebrate the Anniversary of their Tuteiar Saint.

**Gaieties at Chandernagore.**—"Prolific of amusements as the City of Calcutta has been since the commencement of the present agreeable season, it has not entirely succeeded in monopolising pleasure to itself, nor in retaining many of the votaries of fashion and gaiety, its absolute residents, from joining in the festive scenes which have, for some weeks past, delighted the society, and its visitors, at the above named French settlement;—where hospitality, amiability, youth, beauty, music, dance, song, &c.—with whatever else ranks on the list of those *agreements* which tend most to sweeten life have but seemed to vie with each other in efforts to merit a claim to pre-eminence."

"An admirably conducted Ball and Supper, to a very large and a highly gratified party, at the mansion of Mr. Le F—, the Magistrate of the settlement ushered in the season; when Quadrilling, Waltzing and English Country Dancing, alternating one other, and added to the splendid table entertainments of the occasion, (which included every "good thing" in season) made the morning dawn on the guests, ere they imagined they had given the Host their company for two hours, thought of yet tendering to him their *adieux*.

"To the above have succeeded, on occasional evenings several fascinating "AT HOME" as the houses of the principal Officers in administration, &c. in the settlement; amongst which those of the Resident's Lady, whose cordiality and urbanity of manners are in the circle of her friends, proverbial, were by no means the least prominent.

"On Sunday evening, the 17th instant, the house of Madame D—, was open to a numerous party of her friends; and the highest eucoumion which possibly can be offered on the night's entertainment will be perhaps fat all events to those knowing the snavity of the charming lady, and of her lovely daughters) a declaration, that it was, as Madam D.'s parties always are, equally delightful." —*Barrackpore.—Harkarw.*

Deaths.

On the 20th instant, Lieutenant **JAMES STANLEY**, of the Pension Establishment.

At Madras, on the 24th ultimo, after a short and sudden illness, **HELEN MARY**, daughter of W. SCOT, Esq. aged 6 years; a Child full of promise, much loved by all who knew her; and who, let us hope, "being made perfect in a short time, fulfilled a long time."

At Cannanore, on the 7th ultimo, **THEREZA VIEYRA DE CRUZ**, wife of Mr. **JOHN J. DE CRUZ**, aged 25 years, leaving a disconsolate Husband and three infant Children, to lament their irreparable loss.

At Bangalore, on the 4th ultimo, Lieutenant **W. A. BROWNS**, of His Majesty's 13th Light Dragoons.

At Bangalore, on the 22d ultimo, the Lady of Major **PRESTON**, of the 2d Battalion 17th Regiment of Native Infantry.

At Cannanore, the infant Children of Lieutenant **E. C. BRUCE**, 2d Battalion 18th Regiment of Native Infantry. **JONATHAN**, on the 20th ultimo, aged 2 years and 7 months, and **CATHERINE MARY**, on the 11th of May, aged 6 days, both sincerely regretted.

Extended Jurisdiction of the Court of Requests.

To the Editor of the Bengal Hurkaru.

SIR, — Some of the commissioners of the far-famed Court of Requests seem to possess in themselves all the qualifications, that are supposed to exist abstractedly in other persons.

A short time back you published their *LEGAL OPINION*, that a person resident in Calcutta, was not amenable to process issuing out of their Court, because the debt had been contracted in the suburbs of Calcutta! Again it appeared that another of these *savient* Gentlemen had gravely assured a Suitor, who asked for a *Quorum* of Commissioners to decide his case (and which he undoubtedly had a right to insist upon,) that he was *himself a Quorum!* After this, their *equitable* decision was promulgated to the world; that a Surgeon and Apothecary was not entitled to receive at the hands of a *Court-of-Conscience* Commissioner *Cremation* for his attendances, or the value of his Medicines but these Decrees sink into comparative nothingness, when placed against the fact mentioned in your Paper of this morning, that the New Commissioner in the very commencement of his career as a *Civil Judge*, had taken upon himself to *commit two persons to prison on a charge of their interfering with a Suitor's hiring of Servants!* — I have searched in vain for the name of this Gentleman in the printed Lists of Sitting, and even honorary Magistrates of Calcutta, and the natural inference to be drawn from its non-appearance is, that like his Brother Judge he fancied himself a *Quorum*, and that being invested with a Commissioner's power he had a right to exercise a Magistrate's Jurisdiction and authority also.

Young readers will, I think agree with me, that the *least reward* of "The Justices of the Peace" can possibly bestow upon this self-constituted Magistrate, who has thus good-naturedly stepped forward, and lent a helping hand to relieve them of the burthen and responsibility of administering the Bye Laws of Calcutta, is without delay to enter into a Subscription for the erection of a *STATUE* to perpetuate the philanthropy which has actuated this Gentleman, in so unhesitatingly lending himself to the great work, of purging Calcutta of obstreperous Servants.

So much for the line of acting which in any opinion the *Magistrates* are bound to adopt, but how can the public sufficiently shew their sense of his meritorious exertions?

Will you allow me Mr. Editor thro' the medium of your Gazette, to suggest a mode? It is this: — For you to state in *large characters* your willingness to receive subscriptions for the purchase of a *Piece of Plate*; to be presented with an appropriate address from the Inhabitants of Calcutta, expressive of their gratitude for his *unsolicited* and unlooked-for exertions for the public good.

But, Sir, I am carried away by my feelings; for it behoves us prior to embarking in this momentous undertaking, to have an eye to consequences that may proceed from another quarter; for notwithstanding the sensation which such a praise worthy act, must naturally excite in all classes of society in India, I am much afraid, that if there should happen to be one *obstinate* individual amongst us, who should happen to be of a different way of thinking, and should take it into his head to place funds in the hands of "*One of the Forty*" for the perverse purpose of obtaining the Court's opinion of the case, and that opinion should happen to differ with the general sentiment, it would draw tears from the Marble Statue, and make the Subscribers go into mourning to think, that the disinterested views of their Idol had been reprehended. But away with these gloomy reflections, and let us set to, in earnest; and rest assured, Mr. Editor, that in a short time we shall see the amount upon a par with the merits of the action.

"AN ADMIRER OF

Thursday, PHILANTHROPIC EXERTIONS."

NOTE.—Agreeably to the suggestion of our public spirited Correspondent, WE ARE EXTREMELY WILLING to receive Subscriptions for the object proposed.—ED.

CURRENT VALUE OF GOVERNMENT SECURITIES.

Remittable,.....	Premium.....	19 8 4 20 0
Non-Remittable,.....	<i>ditto</i> .....	13 8 4 13 14

BANK OF BENGAL RATES.

Discount on Private Bills,.....	6 per cent.
Ditto on Government Bills of Exchange,.....	5 per cent.
Interest on Loans on Deposit,.....	5 per cent.
Bank Shares—Premium 47 4 50 per cent.	

Printed at the Columbian Press, No. 4, Bankshall Street.

Glopstock's *Messiah* versified in English.

BOOK I.—CONTINUED.

Jesus now rested where the zephyr play'd  
Refreshing round him from the Olive shade,  
Beneath two perfume-breathing Cedars stood  
His guardian Angel, who, in vision view'd  
Redemption's glorious hour now drawing nigh,  
Messiah's triumph thro' eternity:  
As Jesus pass'd, his breast with rapture glow'd  
And sweet as music thus his accents flow'd;—  
"Saviour of men, Divine, does silent night  
Thy steps to watch and pray again invite?  
Or asks thy human nature soft repose,  
See, where her verdant arms the cedar throws  
A shelter o'er thee, whilst upon its wings  
The ev'ning breeze the flow'ry fragrance brings;  
Say, for thy sacred head shall I prepare  
Yon mossy couch?—O worn with woes and care  
Compassionate Messiah, doom'd to prove  
How great for man is thy redeeming love!"  
Jesus replied not, but his look benign  
Beau'd on his guardian Angel love divine.  
The mountain's summit gain'd, heav'n stood reveal'd  
For God was there—and the Messiah kneel'd—  
Earth heard his pleading voice thro' all her bounds,  
Not loud and dreadful as the tempest's sounds,  
But like the breeze of spring to vale and hill,  
Peace to the world it spoke—to man good will;  
In new-born charms morn dawn'd upon the earth,  
And songs of joy proclaim'd a second birth.

(To be continued.)

Shipping Arrivals.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
Nov. 23	Indiana	British	J. Pearl	Penang	Oct. 27

Shipping Departures.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
Nov. 22	Golconde	British	J. J. Edwards	London

Sations of Vessels in the River.

CALCUTTA, NOVEMBER 29, 1822.

At Diamond Harbour.—H. C. S. ASTELL,—JOHANNE MARIA, (D.)  
Kedgeree.—His Majesty's Frigate GLASGOW,—PROVIDENCE, on her  
to Town.

New Anchorage.—H. C. Ships PRINCE REGENT, ASIA, DORSET  
SHIRE, WARREN HASTINGS, MARCHIONESS OF ELY, and WINCHELSA.

Births.

At Gorrakpore, on the 14th instant, the Lady of Brevet Captain A. DICKSON, 2d Battalion 30th Native Infantry, of a Son.

At Myrtle Grove, Madras, on the 29th ultimo, the Lady of Edward GORDON, Esq. of a Daughter.

At Madras, on the 28th ultimo, the Lady of Captain KENNAN, of the Artillery, of a Daughter.

At Nagpoor, on the 11th ultimo, the Lady of Captain ISACKE, Assistant to the Resident, of a Son.

At Belgaum, on the 15th ultimo, the Lady of Major F. W. WILSON Commanding the 2d Battalion 2d Regiment, of a Son.

At Quilon, on the 14th ultimo, the Lady of Lieutenant J. G. R. RISON, 2d Battalion Pioneers, of a Daughter.